SPEECH

OF

MR. SLADE, OF VERMONT,

ON

THE RIGHT OF PETITION;

THE

POWER OF CONGRESS TO ABOLISH SLAVERY AND THE SLAVE TRADE

IN

THE DISTRICT OF COLUMBIA;

THE

IMPLIED FAITH OF THE NORTH AND THE SOUTH TO EACH OTHER

IN

FORMING THE CONSTITUTION;

AND

THE PRINCIPLES, PURPOSES, AND PROSPECTS

OF

ABOLITION.

Delivered in the House of Representatives, on the 18th and 20th January, 1840.

WASHINGTON:
PRINTED BY GALES AND SEATON.
1840.

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SPEECH.

The question pending being upon a proposition to adopt the following as one of the standing rules of the House, viz. "That, upon the presentation of any memorial or petition praying for the abolition of slavery or the slave trade in any District, Territory, or State of the Union, and upon the presentation of any resolution or other paper touching that subject, the reception of such memorial, petition, resolution, or paper shall be considered as objected to, and the question of its reception shall be laid on the table, without debate or further action thereon"—

Mr. SLADE said he had not intended, until very recently, to address the House on the general question of slavery, pending the present discussion. It had been his purpose to confine himself, in the remarks he had thought to make upon the proposition before the House, to a consideration of its absurdity as a rule, and its effect in abridging the right of petition. But the course which the debate had taken, and the great freedom with which gentlemen from the South had assailed those of the North who had petitioned for the abolition of slavery and the slave-trade in the District of Columbia, had induced him to change his determination. He no longer felt himself at liberty to refrain from going into the great question, though he felt quite unprepared to do it at the present time. The discussion of that question had been *brought on* by Southern gentlemen; and he could not hesitate to meet them upon it promptly.

But, in doing this, Mr. S. said he should feel himself restrained, as well by his respect for the House, as by considerations of a higher character, from indulging in the recriminations which some remarks he had heard had tended to provoke. It was his purpose to address himself to *the subject*; and he intended, if he could not do it justice, at least to discuss it in a *manner* becoming its grave importance and high character; and if, in the ardor of debate, he should say any thing personally offensive to any, he begged to give assurance that it would be altogether unintentional.

ABSURDITY OF THE PROPOSED RULE.

The proposition (said Mr. S.) before the House is to amend its rules, by providing that all petitions or other papers touching the abolition of slavery or the slave-trade in any District, State, or Territory of the United States shall, upon presentation, be considered as being objected to, and the question of their reception thereupon be laid upon the table without debate.

My first objection to this rule (said Mr. S.) is, that it involves an absurdity. It is sought to make this one of the standing rules of the House. Now, sir, what is a rule? It is defined to be "that which is settled by authority or custom, for *guidance* and *direction*." This is in accordance with the caption of our rules, which is as follows: "Standing rules and orders for conducting business in the House of Representatives of the United States." They are to regulate the *conducting of business*. But is the proposition before us of the nature of a guide or regulator for the conducting of business? The essential element of business is *action*. But does this proposition contemplate any future action of the House? No. It anticipates and entirely supersedes that action. It, in the first place, declares that, upon the presentation of petitions and papers of a certain character, their reception shall be considered as being objected to. No *actual* objection is contemplated; but it is declared, beforehand, that an objection shall be *considered* as being made. Is this a rule of *action*? It *supersedes* action.

Again: The proposed rule declares that the question of reception, thus raised by a parliamentary fiction, shall be laid upon the table. Now, when the case shall arise, and the question of reception shall be laid upon the table, what will lay it on the table? It will be *this rule*—not the action of the House at the time. That will have been anticipated and superseded. And yet this is to be called a standing rule for the conducting of the business of the House! Can any thing be more absurd?

But, to make this absurdity still more apparent, let us look at the contemplated rule in connexion with the twenty-first of the present rules. That rule declares that "the petitions having "been presented and *disposed of*, reports from committees shall be called for and *disposed of*. "Resolutions shall then be called for in the same order, and *disposed of* by the same rules which "apply to petitions." The disposition of petitions, resolutions, and reports here provided for, evidently contemplates the action of the House *when they are presented*. Such disposition constitutes a part of the actual business of the House. It is, to *do* something with them. And yet, if the proposition before us becomes a rule, that something will have been done, in effect, months, perhaps, before—leaving absolutely nothing to be done when the papers are presented.

But, further: The Constitution declares that "each House shall keep a journal of its proceed-

ings." Now, let us see how the Clerk will journalize the proceedings under this rule. Suppose it to be adopted on the 1st of February. On the 1st of July next petitions are presented which come within it. What will be the entry on our journal? To make it correspond with the real nature of this proceeding, it should be as follows:

On the *first of July*, 1840, Mr. ADAMS presented the petition of 500 men and 500 women of Plymouth county, Massachusetts, praying for the abolition of slavery in the District of Columbia, which was considered as being objected to; and the question of its reception was laid upon the table by a vote of the House on the *first of February*, 1840.

Such would be the absurdity of the journal, if it were to tell the truth; because the truth would be, that there would be no actual proceeding on the petition on the day of its presentation. The action of the House would have been on the first of February, and not on the first of July; and the journal could not be a journal of its proceeding upon the latter day. The reception of the petition would not be objected to on the first of July, but on the first of February; while the action of the House which would lay the question of reception on the table would have been on the first of February, and not on the first of July.

There would seem to be but one way of avoiding this absurdity, and that would be by giving such a construction to the rule as to *compel* some member to object on the first of July to the reception of the petition, and to *compel* a majority of the members to vote on that day to lay the question of reception on the table! I need not say in what a ridiculous and degrading position this would place the House. It would, however, not be more ridiculous or degrading than for the House to sit here on that day, and witness the silent disposition of petitions under this rule, as has been witnessed under the operation of former gags. Either of the results alluded to would be in perfect keeping with the folly and absurdity of the whole gag system, from the Pinckney gag of 1836 to the new-fangled gag we are now considering.

But, again. What becomes of the right of the members of this House to vote on the first of July next on the question of the reception of the petition, in the case I have supposed? Who can constitutionally deprive me of that right, and of the exercise of it by my yea or nay, provided I can obtain for that purpose the request of one-fifth of the members present on that day?

This denial of the right of voting would wear a more striking appearance of usurpation—though it would not be more so in principle—in its application to new members, who might come into Congress, after the adoption of this rule, to fill vacancies; or in its application to those who, like the New Jersey members, may not have been able to obtain their seats until after the adoption of the rule.

Suppose that such a member, on taking his seat, presents a petition, and moves that it be referred to a committee—what will be his astonishment on being told by the Chair that the petition cannot be referred, and that even no motion to refer it can be entertained? But, says the astonished member, Mr. Speaker, this is a petition from my constituents, which I wish to have this House receive and consider; and I move that it be received and referred. The Chair, you respond, informs the gentleman that this petition is *considered* as being objected to, and that the question of its reception is laid upon the table. *Considered* as being objected to? replies the member. *Considered*? What does this mean? It was considered as being objected to on the first of February last, replies the Chair. But, says the member—his astonishment increasing—this petition was not in existence on the first of February. That, you reply, makes no difference; the House *considered* that it might come into existence, and be presented here; and *considered* it proper that, when it should, it should be *considered* as being objected to, and it *is* therefore now considered as being objected to, and the question of its reception is laid upon the table. Laid upon the table! exclaims the member. How is it laid upon the table? Nobody has moved to lay it on the table, and there has been no vote to that effect. How, then, is it laid upon the table? By a vote of the House on the first of February last, replies the Speaker. The first of February last! says the member. This petition was not then in being, and I, the Representative of the petitioners, was not here to vote. Before the question of the reception of this petition shall be decided, I claim the right to vote upon it, and to record that vote on your journal. The gentleman, you reply, cannot be allowed this privilege. The question of reception is *considered* as made, and that question is laid upon the table; and the gentlemen will take his seat!

Thus ends the farce—a farce which I have seen acted over here a hundred times, in varied forms, during the last four years, though under the operation of gags which, for refinement of absurdity, can pretend to no equality with this.

But, Mr. Speaker, there is another view in which the infringement of right by the rule in question appears yet more flagrant. It really amounts to an enactment by this House that no petition for the abolition of slavery or the slave-trade shall be *received*. It seems, I know, to be otherwise. But it *seems* one thing while it *is* another; for, after the enactment of the farce which the rule contemplates, the petition is still left in the hands which presented it. This is the inevitable result, from the nature of the proceeding. The order is, not that the *petition* shall be laid upon the table, but that the *question of its reception* shall be thus disposed of. But does the laying of the question of reception on the table amount to the reception itself? It seems to me that this involves a manifest contradiction; for, if such is the effect of laying that question on the table, then it puts the House in possession of the petition, and thus accomplishes the very thing which the motion to lay the question of reception on the table was intended to prevent.

The result to which this process of reasoning brings us is in accordance with the fact; for, in point of fact, the petition does not pass out of the hands of the member presenting it until the *quietus* is given to the question whether it *shall* pass out of his hands and be received, by the

vote to lay *that question* on the table. All that has ever passed from the member to the Clerk is the mere annunciation of the petition. Nothing is, in fact, *received*, but that annunciation. The petition, therefore, in point of fact, as well as in contemplation of parliamentary law, remains in the hands of the member presenting it.

So, then, whatever may be the strictly parliamentary result of the magic operation of this rule, the substance of it, all can see, is, that the petition has, to all substantial purposes, been rejected, and the petitioners treated with contempt.

ABRIDGMENT OF THE RIGHT OF PETITION.

The petitions being thus left in the hands of the members presenting them, we are brought to the main objection—namely, that the effect of the rule would be *to abridge the right of petition*. The Constitution (Art. 1 of the Amendments) declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the People peaceably to assemble, and to petition the Government for a redress of grievances."

"Petition." What is it? To ask for something desired; and to ask of some being—individual or aggregate—who has *ears to hear*. It is *essential*, then, to the enjoyment of the right of petition, that the petitioner should have access to the ear of power. It would be a mockery for power to say the right is perfect, and yet shut itself up beyond the reach of the vision or the voice of supplication. "The eyes of the Lord are upon the righteous, and his ears are *open* to their cry." What would the privilege of prayer be worth, if the ears of Divine mercy were not "*open?*" "Oh thou that *hearest* prayer," was the exclamation of David. It has hence become a part of the description of the Almighty that He is "*the hearer* of prayer."

Suppose we draw a line around this Capitol, and say to the People, hitherto may you come with your petitions, but no further; and then toll them that they still have the right of petition because they have the use of pen, ink, and paper, and may draw up their petitions. Would not this be an insulting mockery? If they may not come within that line, or, what is essentially the same thing, if they may not get their petitions to our ears, might they not just as well send them to the British Parliament as to send them here?

In defining the right of petition, I have anticipated, to some extent, the question, whether it would be abridged by the adoption and enforcement of the proposed rule. That rule, as I have shown, in effect refuses the reception of the petition, and leaves it in the hands of the petitioner. Or, if I am not correct in this view of the effect of the rule, and, under it, the petition must go to the table, it is substantially the same thing, because, in that case, to all practical purposes, the hearing and considering of the prayer is refused. Whatever speculations there may be as to the critical construction of the rule, every petitioner will see and feel that his petition is rejected. The language of the proceeding is, *We will not hear you!* If this does not abridge the right of petition, I should be glad to learn what would abridge it.

Mr. Speaker, if we make the order now contemplated, how long think you will it be before we shall be called on to make an order that no petition touching the subject of slavery shall be *presented* here? Nothing would be more natural than such a transition; for, in the first place, the adoption of the rule now proposed will evince that there is no want of a *disposition* to go further, if necessary; and, in the next place, it will increase the disposition of the People to petition; and they *will* petition until, to get rid of the annoyance, and to avoid the moral influence of the annunciation of their petitions here, their very presentation will be suppressed. And next will come *a law* making it penal to present such petitions. Let no one start at this suggestion, for such a law would not be a plainer violation of the Constitution than was the bill which came near passing the Senate, prohibiting the transportation of abolition papers by the mail.

The rule before us may seem to some a very small affair; but smaller encroachments on popular rights than this have grown to a fearful magnitude. The history of all usurpations shows that the disposition for encroachment uniformly increases with its acquisitions of power. The voraciousness of appetite is augmented by the aliment on which it feeds.

Sir, it is like the letting out of waters. There was a striking example of this in my own State. A few boys thought to have a little amusement by cutting a trench in the bank of a large pond, that they might see the discharge of the water into an adjoining ravine. The trench was cut, and the water began to run. But their amusement was soon changed into terror; for the running water gradually found its way to the quicksand, when the channel suddenly deepened—the earth trembled—and the boys escaped for their lives; while the rushing waters swept away the bank, and the whole pond soon moved onward, carrying before it trees, fences, mills, and dwellings, in wild and wanton desolation, until it reached a neighboring lake.

Such was the emptying of Glover pond. It is but a faint emblem of what we may expect if we let out the waters through the channel we are now cutting. Sir, our motto should be, *obsta principiis—stand upon your principles*. In such a case, let there not be the *slightest* abandonment of them. Let no suggestions of temporary expediency be listened to for a moment. Let it be remembered that the course which may be now adopted, as an expedient to suppress the utterance of hostility to *slavery*, may hereafter be drawn into a precedent to justify attempts to suppress the popular voice on other subjects; and that thus, gathering strength, encroachment may go on from conquering to conquer, until it shall sweep away the whole barrier which the Constitution has interposed as a security to the right of petition; and with it, at last, all the guaranties of popular rights.

Mr. Speaker, the principle we are about to adopt has *immense* bearings. Let its tendency be

well considered. There is no matter of public concernment to which it may not be made to apply—no great interest in the country which it may not reach.

Suppose the South should, at some future time, find it necessary to petition for a reduction of a high tariff; what would hinder the application of the principle of the contemplated rule (which might have gained great strength by use) to that case? And how would *Southern* gentlemen feel, to be met here by the application and enforcement of such a rule as this? How would *they* like a sweeping order, under which the petitions of their constituents should be *considered* as objected to, and *considered* as laid upon the table? What demonstrations of indignation and wrath might not be expected; and especially from the Representatives of that State (VIRGINIA) in which originated the amendment of the Constitution expressly inhibiting an abridgment of the right of petition? How bitter would be the cup—returned to their own lips—which they are now endeavoring to force to the lips of others.

I have spoken of petitions from the South. But the application may be made to petitions from other quarters—to petitions, for example, from the North and East for an increase of duties for the protection of their industry. By and by, petitions may come pouring in here for an investigation into the corruptions and abuses of the Executive Government—(and I tell you, sir, they *will* come, unless abuses and corruptions are speedily checked)—and *then* it will be very convenient for power to take shelter behind such a sweeping rule as this. The fear of *excitement* is now a prominent reason for suppressing petitions: then it will be a fear of *exposure!*

But, while I am contending for the right of petition, and maintaining that the reception of petitions ought not to be refused, I do not claim that this shall be regarded as a rule without any exception. I admit that this House, as well as every other legislative body, may entertain the question of reception, not, however, in the form now contemplated, by a sweeping rule, but upon *motion*, as petitions may be presented. This, the English rules of parliamentary practice, which we have adopted, clearly recognise, it being required by them that, "regularly, a motion for receiving it (the petition) must be made and seconded, and a question put whether it shall be received."

The same right to entertain the question of reception is also recognised in the standing rules both of the Senate and of this House, each of them providing that "a brief statement of the contents" of petitions "shall verbally be made by the introducer;" and the former adding, expressly, that this shall be done "before any petition or memorial shall be received and read at the table."

The right to reject petitions, thus recognised in the English and American parliamentary law, is founded in the obvious necessity that every legislative body should have the power of self-protection from abuse and insult, assailing it under the sacred garb of petitions for redress of grievances.

There should also be a power of rejecting promptly all petitions for absurd, ridiculous, or impracticable objects, presented in a spirit of mere wantonness; examples of which will readily occur to every one.

There is, perhaps, another ground on which the reception of petitions may be refused; and that is, the unconstitutionality of the action which they ask Congress to take. This power is liable, however, to great abuse, and should be exercised, as should the power of rejection in other cases, with extreme caution. The unconstitutionality of the action prayed for should be *flagrant* and *undeniable*; since, in questions between freedom and power, construction should always lean in favor of the former. Such clear and undoubted cases would be, for example, petitions that Congress would establish a religion by law, or abolish the trial by jury, or grant titles of nobility, or permanently suspend the privilege of the writ of *habeas corpus*, or pass a bill of attainder, or an *ex post facto* law. Prayers for such objects would clearly not be for a "redress of grievances." The grievance would rather be that Congress should be compelled to receive and consider such petitions.

In making the admission that the reception of petitions may be refused on the ground of the clear and undoubted unconstitutionality of the action prayed for, I have done it, knowing, of course, that it is on this ground that the reception of petitions praying for the abolition of slavery is objected to. I am willing to meet the question of reception with this incumbrance, if it be an incumbrance; for I intend, before I shall have done, to urge reasons and present authority in support of the right of Congress to abolish slavery and the slave-trade here, which shall put gentlemen upon showing, not merely that the constitutionality of such legislation is doubtful, but that it is not most clear and undeniable.

I have admitted the exceptions to the general rule, that petitions should be received and considered, not only from a regard to the principles which seem to demand them, but from a regard to the right of petition itself. My very desire to maintain the sacredness of the right leads me to desire that it may not be encumbered with a claim to *unlimited license*.

Thus limited and guarded from abuse, the right of petition is, next to the right of suffrage, the most important and efficient of the political rights secured to the People. It carries with it a tremendous power; for, though it wears the modest garb of a right to request, it really possesses, by its moral influence, and by the consciousness of responsibility which it awakens in the representative body, the power almost of command. The right of suffrage can be exercised but periodically—that of petition continually. It is a standing constitutional medium of communication from the People to their Representatives. *Its* sacredness should be guarded, therefore, with the most wakeful jealousy; and it *is* thus guarded. There is no right concerning which the People are more jealous than this. Wo, wo, to the Representative who, under any pretence, however specious, treats it with contempt. To associate any cause, no matter what, with a practical denial of this right, will be sure to bring it into discredit, if not to overwhelm it with ruin.

Thus far, Mr. Speaker, I have spoken of the proposed rule in reference to its application to *petitions*. But there is a class of papers to which it will apply, of a very different character. I mean resolutions of State Legislatures touching the subject of slavery. Such resolutions I now hold in my hand, adopted by the Legislature of my own State at its last session, and which it is my purpose to present to this House as soon as it shall be in order to do so. Under the operation of the proposed rule, the reception of these resolutions will be "*considered*" as objected to, and the question of their reception will be *considered* as laid upon the table!

Now, sir, I put it to the State rights members of this House, as well as to all others, whether they are ready to adopt a rule which shall thus act on *resolutions of the sovereign States of this Union*. The States do not present themselves here in the attitude of *petitioners*. They are *sovereign States*. They *ask* nothing. They exercise the right of *resolving*, and of making known to us their resolutions. Such is their true character and position. We are not at liberty to assume the possibility of their passing any resolutions which this House can rightfully refuse to receive, either on account of their *manner* or their *matter*. And, sir, in accordance with this view of their character and their relation to this body, I shall, when I present the resolutions to which I have referred, announce that I present resolutions of the Legislature of the State of Vermont, which, in the name of that State, I demand to have read and considered.

And now, sir, I again ask, Will State rights gentlemen vote for a rule which shall cast down the sovereign States of this Union from the high and independent position they thus rightfully occupy, when their *resolves* are presented for consideration here? Sir, they cannot, they will not, do it.

POWER OF CONGRESS TO ABOLISH SLAVERY AND THE SLAVE-TRADE IN THE DISTRICT OF COLUMBIA.

I come now, Mr. Speaker, to a grave and important question, namely, that of *the constitutional power of Congress to abolish slavery and the slave-trade in the District of Columbia*. The right to adopt the rule before us, and thereby reject all petitions and other papers touching that subject, is claimed on the ground that no such power exists. I have asserted that it does exist, and I will now proceed to prove it.

All power over this subject is derived from the grant of power in the Constitution, which declares (Sec. 8, Art. 1) that "Congress shall have power to exercise exclusive legislation in all cases whatsoever over such District (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States."

What is the extent of the power of legislation here granted?

In the first place, it is "*exclusive*." There is no other concurrent jurisdiction. To the full extent of its power of legislation, whatever it may be, Congress excludes all other legislation; so that the States to whose jurisdiction the territory forming the District originally belonged, have no more power to extend their legislation to it, than to the States of Georgia or Maine.

In the next place, it extends to "*all cases whatsoever*." No effort to find language granting *all possible* power of legislation could have selected terms more comprehensive than these. "*All cases whatsoever*"—embracing, of course, a range of objects as wide, and a power of acting on them as ample and extended as fall within the competency of *any* legislature.

And this extent of the power of its legislation is in perfect accordance with the exclusiveness of the jurisdiction of Congress over the territory. All other legislative authority being excluded, there arises an obvious necessity that that of Congress should be complete; otherwise the people of the District would be left without a legislature, competent to the necessary and indispensable purposes of government.

But further. Look at the sweeping language of the grant of power to legislate for this District, in contrast with the specific grants of power to legislate for the country generally. In regard to the latter, this Government is one of specifically granted powers. Thus, for example, in the first sixteen clauses of the 8th section of the 1st article of the Constitution, Congress is authorized, among other things, to regulate commerce, to coin money, to establish post offices and post roads, to declare war, to raise and support armies, and to provide and maintain a navy, &c. All the powers (including, of course, the power to pass laws necessary and proper for carrying these powers into execution) not thus specifically granted were reserved to the States, or to the People.

Now, why was the language changed in the 17th clause of the 8th article, from the specification, as in the previous sixteen clauses, *of particular cases* in which Congress might legislate, to the general grant of power to legislate "in *all cases whatsoever*?" Why did not the 17th clause also specify the particular cases in which Congress might legislate for the District? No other answer can be given to this question than that it was intended to grant *all* legislative power—to make *no* exception—to leave *nothing* for the control, either of the people of the District, or of any other power; so that the great design of setting apart a separate district for the seat of the Government of the United States might be fully answered—namely, that of having it subjected to the jurisdiction and control of no other power.

But again. If the power of Congress to legislate for the District is limited, who is to determine *what* the limitation shall be? Why exclude the subject of slavery rather than any other subject? If "all cases whatsoever" mean only some cases, who is to determine what these some cases are? One may exclude slavery—another the matter of the currency—another the prohibition of lotteries—another the suppression of duelling—another of gambling, and another the power to punish crimes. Which is right? Who shall determine? Who can determine?

Mr. Speaker, if we leave the plain, intelligible terms of the grant of power in this case, and resort to implication, we leave a solid rock for the trembling quicksand, which will sink beneath us.

But do any still doubt with regard to the *completeness* of the power of Congress over this District? If my reasoning has failed to convince them, let me call their attention to the exposition given to this clause of the Constitution by distinguished men at the time of its adoption.

Mr. MADISON has been justly styled the father of the Constitution. In the forty-third number of the Federalist, speaking of the clause in question, he said:

"The indispensable necessity of *complete* authority at the seat of Government carries its own evidence with it. It is a power exercised by every Legislature of the Union—I might say, of the world—by virtue of its general supremacy."

"*Complete*" was the simple, significant, comprehensive term used by Mr. Madison to express his idea of the power.

Let me next turn to the debates in the Virginia Convention, during its deliberations upon the adoption of the Constitution. *Virginia* authority, I think, must be good here on this subject. On looking into those debates, I find that the clause of the Constitution now in question was objected to by several leading members of the Convention, expressly on the ground of the *unlimited* extent of the power which it conferred on Congress. Mr. GRAYSON said that, "after mature deliberation, he could not find that the ten miles square was to be looked upon even as part of a State; but to be *totally independent* of all, and subject to the exclusive legislation of Congress." Mr. MASON said "this clause gives an *unlimited* authority, in *every possible* case, within the District." PATRICK HENRY called it "*unlimited, unbounded* authority."

Mr. MADISON, who participated in the debate, admitted the correctness of the construction to which I have referred, by replying to the argument against the adoption of the Constitution, thus drawn from the "unlimited, unbounded authority" which it conferred—that "there must be a particular cession by particular States of the District to Congress; and the States may settle the terms of the cession," and "may make *what stipulation* they please in it."

I have thus shown—from the express language of the Constitution—from the necessary exclusiveness of the jurisdiction of Congress—from the language of the grant of power in this case, in contrast with the other grants of power—from the absence of every thing from the Constitution which can enable us to determine *what* exercise of legislative power, if any, shall be excepted from the grant in question—and from contemporaneous construction—that Congress possess the constitutional power to abolish slavery and the slave-trade in the District of Columbia.

And now, Mr. Speaker, let me show you what construction has since been put upon this grant by Congress, by committees of Congress, by members of Congress from slaveholding States, by the people of this District, and by men now occupying the highest stations in this Government.

On the 1st of March, 1816, the House of Representatives, on motion of Mr. Randolph, of Virginia, passed the following resolution:

"*Resolved*, That a committee be appointed to inquire into the existence of an inhuman and illegal traffic in slaves, carried on in and through the District of Columbia, and to report whether any, and what, measures are necessary for *putting a stop* to the same."

This resolution, it will be observed, did not contemplate the mere *regulating* of the slave-trade, but the annihilation of it. Nobody can pretend that the action of Congress which the resolution contemplated did not involve the whole question of slavery here—the power to abolish the slave-trade manifestly including the power to abolish slavery.

The committee appointed under this resolution were Messrs. Randolph and Kerr, of Virginia; Maryatt, of South Carolina, Goldsborough, of Maryland, and Hopkinson, of Pennsylvania. This committee, four of whom were from slaveholding States, manifested their concurrence with the House in its acknowledgment of the power of Congress over the subject of slavery by asking for authority to send for persons and papers, which the House granted.

The committee, on the 39th of April, reported sundry depositions taken by them, which were ordered to lie on the table. And here terminated the whole proceeding! Although Mr. Randolph, on offering the resolution, urged the necessity of immediate action, and declared that "if the business was declined by the House, he would undertake it himself, and ferret out of their holes and corners the villains who carried it on," yet "the business" was never prosecuted beyond the taking and reporting of the depositions; which depositions, by the way, are not now to be found on the files of this House!

The zeal of Mr. Randolph and of the committee appears to have suddenly evaporated! They discovered that they were attacking the "Patriarchal institution," and shaking what has since been called "the corner-stone of our republican edifice"—and desisted! But they showed, and the House showed, that they considered the power of Congress over the subject of slavery here to be as complete as over any other subject.

On the 11th of January, 1827, the Committee for the District of Columbia, by their chairman, Mr. Powell, of *Virginia*, said, in a report to the House: "The Congress of the United States has, by the Constitution, exclusive jurisdiction over this District; and has the power upon this subject, (the imprisonment of free negroes as runaways, and their sale into slavery,) as upon *all other* subjects of legislation, to exercise *unlimited discretion*." "Unlimited" was the very word used by Patrick Henry in the Virginia Convention, to express his idea of the extent of the power.

I come now to a still more distinct recognition of the power for which I contend.

On the 9th of January, 1839, the House of Representatives, on motion of Mr. Miner, of Pennsylvania, adopted the following resolution:

"*Resolved*, That the Committee for the District of Columbia be instructed to inquire into the expediency of providing, by law, for the gradual abolition of slavery within the District, in such manner that the interest of no individual shall be injured thereby."

This resolution was passed by a vote of 114 to 66; and it is worthy of remark that, of those who voted in the affirmative, *eleven* were from the slave States, viz. one from Delaware, two from Maryland, three from Virginia, one from North Carolina, one from Tennessee, and three from Kentucky.

On the 29th of January the Committee for the District of Columbia reported a bill providing, among other things, that no slave should be imported into the District; and that, upon such importation, the slave *should be free*, on leaving the District within ten days. Of the committee of seven who thus recognised the power of Congress over the subject of slavery here, there were *four* from slave States, viz. two from Virginia and two from Maryland.

It further appears that, on the 20th of April, 1830, a similar bill was reported by Mr. Washington, of Maryland, Chairman of the Committee for the District of Columbia.

In April, 1836, Mr. Pinckney, of South Carolina, chairman of a Committee on Abolition, reported the following resolutions:

"*Resolved*, That Congress possess no constitutional authority to interfere, in any way, with the institution of slavery in any of the States of this Confederacy.

"*Resolved*, That Congress ought not to interfere, in any way, with slavery in the District of Columbia."

Here, again, the power to legislate on the subject of slavery here is clearly admitted, by the marked difference in the phraseology of the two resolutions; the first expressly declaring that Congress *have no constitutional power* to interfere with slavery in the *States*, while the second merely declares that Congress *ought* not to interfere in *this District*—omitting all reference to the Constitution.

In accordance with these proceedings, which show the recognition, by the House of Representatives and its committees, of the power in question, is the presentation, by members of Congress from the slave States, of *abolition* memorials, viz.

By Mr. Rhea, of Tennessee, January 14, 1822, from citizens of that State, for the gradual abolition of slavery in the District of Columbia.

By Mr. Saunders, of North Carolina, December 13, 1824, from citizens of that State, praying for the gradual abolition of slavery in the United States.

By Mr. Barney, of Maryland, on the 11th of February, 1828, from citizens of Baltimore, for the abolition of slavery in the District of Columbia.

By Mr. A. H. Shepperd, of North Carolina, March 30, 1828, from citizens of that State, praying Congress to take measures for the entire abolition of slavery in the District of Columbia; and

By Mr. Washington, of Maryland, March 5, 1830, from inhabitants of the county of Frederick, in that State, for the same object.

To these expressions of opinion by individual members of Congress from slave States, I add that of Alexander Smyth, of Virginia, in the debate on the Missouri question, in January, 1820, in which he said:

"If the future freedom of the black is your real object, and not a mere pretence, why do you not begin *here?* Within the ten miles square you have *undoubted power* to exercise exclusive legislation. *Produce a bill to emancipate the slaves in the District of Columbia*, or, if you prefer it, to emancipate those born hereafter."

From these recognitions of the power in question, I turn to admissions of the power by the people of this District.

In the year 1802, the *Grand Jury* of the county of Alexandria made a formal presentment of the slave-trade as a "grievance." Having described the trade with its horrible and heart-rending atrocities, they say: "We consider these *grievances* demanding *legislative* redress."

Let me stop a moment to consider the language of this presentment—"grievances!" We have been told that slavery and the slave-trade here are no *grievance*, whose redress can be prayed for, because Congress have no power over the subject. Not so thought the Grand Jury of Alexandria. And then, again, we are told that slavery and the slave-trade are no grievance to the people of the North, because their *interests* are not affected by them. How were the *interests* of the grand jurors of Alexandria affected by what they presented as a grievance? It did not take away their property. It did not destroy their health, or endanger their lives. But it *outraged their feelings;* and therefore it was a "grievance." It outrages the feelings of my constituents; and therefore it is a grievance to them. It is an outrage committed under the authority of the laws of Congress, for which they share a responsibility; and therefore they ask for their repeal.

But I have in my hand a still stronger expression on the subject from this District. It is a memorial earnestly praying for the abolition of slavery and the slave trade here, signed by more than eleven hundred citizens of the District, presented to Congress in 1828—among the signers of which were Chief Justice Cranch, Judge Morsell, and Gen. Van Ness, besides a large number of others of the most intelligent and respectable of the inhabitants of the District. And now, sir, listen to the expression of their opinion upon the power of Congress.

After describing in glowing language the horrors of the slave-trade here, comparing it with the foreign slave-trade, denounced and punished as piracy, and speaking of "the reproach of inconsistency cast upon the free institutions established among us," they say:

"We behold these scenes continually taking place among us, and lament our inability to prevent them. The people of this District have, within themselves, no means of legislative redress; and we therefore appeal to you: honorable body, as the *only* one invested by the American Constitution with the power to relieve us."

Two years after the presentation of this memorial, viz. in January, 1830, the Grand Jury of the county of Washington expressed their conviction of the power of Congress over this subject, in a communication addressed to the chairman of the Committee for the District of Columbia, in which they gave an appalling description of the slave-trade, and declared that "the inhuman practice is so shocking to the moral sense of the community, as to call loudly for the *interposition of Congress*."

Let me present you, Mr. Speaker, with the additional testimony of two distinguished men, and I shall have done with the question of constitutional power. I refer to the declarations of the two highest officers of this Government.

In the United States Senate, on the 1st of February, 1820, in the debate on the Missouri question, RICHARD M. JOHNSON, of Kentucky, said:

"In the District of Columbia, containing a population of 30,000 souls, and probably as many slaves as the whole Territory of Missouri, *the power of providing for their emancipation rests with Congress alone.* Why, then, this heart-rending sympathy for the slaves of Missouri, and this cold insensibility, this eternal apathy towards the slaves in the District of Columbia?"

And now, I give you the testimony of the present Chief Magistrate of the United States, whom no one will suspect of a want of inclination to please the South by denying the constitutional power of Congress over this subject, if it were possible to find even plausible reasons for such a denial. In a letter to a committee of gentlemen in North Carolina, of the 6th of March, 1836, MR. VAN BUREN said:

"I would not, from the lights now before me, feel myself safe in pronouncing that Congress does not possess the power of abolishing slavery in the District of Columbia!"

This was *Mr. Van Buren's way* of affirming the power of Congress to abolish slavery here.

IS THE ABOLITION OF SLAVERY WITHIN THE COMPETENCY OF LEGISLATION?

Having thus shown that the language of the grant of power to legislate for this District, necessarily, in the absence of express limitation, extends to *every possible* "case" of legislation, and that this is in accordance both with ancient construction and modern practice, I come to consider some objections which are urged against the exercise of the power.

It is said that it is not competent for legislative power to abolish slavery; and that, inasmuch as the grant of power to Congress must necessarily be limited to "cases" within the competency of legislation, therefore the "all cases whatsoever" of the Constitution, cannot be taken to embrace the "case" of slavery.

No legislative power is, I admit, competent to do *every* thing. It cannot, for example, act, by law, upon the consciences or the faith of men. It cannot compel or sanction the commission of crime. It cannot enact that husbands shall not protect their wives, or that parents shall not provide for their children, or that female chastity shall be exposed to violation; and so of many other cases I might specify. It cannot pass such laws, for the very same reason that it could not rightfully pass the laws by which slaves are holden here; and for the very reason why it is bound to repeal them—namely, because such laws are contrary to the great law of Nature, which *no* human legislation may violate.

But what is it to abolish slavery? Slavery, it should be remembered, is the mere creature of statute, or positive law. It is unknown to the common law. "It is" (said Lord Mansfield, near seventy years ago, in the celebrated case of the negro Somerset, which every lawyer has, of course, read)—"it is so *odious*, that nothing can be suffered to support it but *positive* law." What is it, then, to abolish slavery? It is simply to repeal the positive laws which sustain it; to open the foul dungeon, locked by the key of unjust legislation, and permit the slave to walk forth and breathe the pure, invigorating atmosphere of *the common law*. It is to restore to its just efficacy the great fundamental law of *natural justice*, on which the common law is founded—a law *written upon every man's conscience and in every man's heart.*

This Congress is called on to do by the petitions which we are now contriving means summarily to reject. It is by the statute laws of the United States, and by them alone, that men are made slaves in this District. The Congress of the United States have passed laws repealing the law of eternal justice; and the petitioners ask us to repeal the repealing laws, and restore the law repealed to its full force and efficacy. They ask us to remove the crushing weight we have placed upon the soul and the body of the slave, and permit him to rise up and walk. They ask this in the name of JUSTICE. And are we to be told that we have no power to grant their request? Had we power to enact these laws? Where did we get it? If the Constitution gave it—*which I deny*—does it not give us power to repeal them? Have we power to pass a law making men the property of their fellow-men; and have we no power to pass a law restoring to them the ownership of themselves?

Will any one talk of *vested rights* which we should thereby violate? I deny that there are, or ever can be, in justice, any vested *rights* in such a case. It has been said by a great statesman that "that is property which the law makes property." If by this proposition is meant that what the law makes property is property, *according to law*, I do not, of course, deny it. This would be merely saying that law is law. But if it is intended to affirm that what the law makes

property is *rightfully* and *justly* property, then I deny it utterly. The law may make the declaration; and the power of the State may enforce it, and the community may, of necessity, submit; but, after all, it will be a mere law of *force* and not of *right*; unless, according to the philosophy of the infidel Hobbes, "*the sole foundation of right and wrong is the civil law.*" That is the philosophy for *slavery*; but not for the freedom which finds the rule of *right* and *wrong* in a higher law than that of the State.

Let me test this proposition to which I have referred by an example. Suppose we enact a law declaring that the first *red man* from the Western wilds who may chance to fall within your power shall be your property. Would our law *make* him property? Would not the voice of Nature, and the voice of this Nation, unite in thundering an indignant no to such an inquiry?

Whence is derived the original idea of *property?* It is not the creature of *statute law.* There are no *statutes* declaring that lands and houses, and cattle, and the productions of human skill and industry, shall be property. There are statute laws regulating their alienation and descent, but none declaring that they may be the subjects of ownership by man. And this for the best of reasons. There is a law older than all human laws, and above all human laws, which has settled the matter. It is the law of Nature; which is nothing more or less than the will of the great original Proprietor. That Proprietor never stamped on man the quality of property. He never authorized one man to own another man; nor did He ever authorize a Legislature to make a law giving such ownership. Ownership in man? You may as well talk of owning the stars or the sun. No. Man was made to be the owner of himself. Every quality of his noble nature, and every aspiration of his undying spirit, proclaim it.

Having shown that the abolition of slavery is, upon the principles of natural justice, within the competency of legislation, let me now advert, briefly, to *the history of abolition*, to show how extensively these principles have been acted on. It may surprise those who habitually regard abolition as the mere fungus creation of moon-struck fanaticism, to learn the extent to which its "abstractions," as they are called in derision, have been actually made the basis of *legislation*. I hold in my hand the 5th number of the "Anti-Slavery Examiner," in which I find the following very brief summary of the history of Abolition, which I beg permission to read:

"The abolition decree of the Great Council of England was passed in 1102. The memorable Irish decree, 'that all English slaves in the whole of Ireland be immediately emancipated and restored to their former liberty,' was issued in 1171. Slavery in England was abolished by a general charter of emancipation in 1381. Passing over many instances of the abolition of slavery by law, both during the Middle Ages and since the Reformation, we find them multiplying as we approach our own times. In 1776, slavery was abolished in Prussia by special edict. In St. Domingo, Cayenne, Guadaloupe, and Martinique, in 1794, where more than 600,000 slaves were emancipated by the French Government. In Java, 1811; in Ceylon, 1815; in Buenos Ayres, 1816; in St. Helena, 1819; in Colombia, 1821; by the Congress of Chili in 1821; in Cape Colony, 1823; in Malacca, 1825; in the Southern provinces of Birmah, 1826; in Bolivia, 1826; in Peru, Guatemala, and Montevideo, 1829; in Jamaica, Barbadoes, the Bermudas, the Bahamas, Anguilla, Mauritius, St. Christopher's, Nevis, the Virgin Islands, (British,) Antigua, Montserrat, Dominica, St. Vincent's, Grenada, Berbice, Tobago, St. Lucia, Trinidad, Honduras, Demerara, Essequibo, and the Cape of Good Hope, on the 1st of August, 1834. But, waiving details, suffice it to say that England, France, Spain, Portugal, Denmark, Russia, Austria, Prussia, and Germany, have all, and often, given their testimony to the competency of the legislative power to abolish slavery. In our own country, the Legislature of Pennsylvania passed an act of abolition in 1780, Connecticut in 1784, Rhode Island in 1784, New York in 1799, New Jersey in 1804, Vermont by Constitution in 1777, Massachusetts in 1780, and New Hampshire in 1784."

Here, sir, are the "abstractions" of abolition, embodied in the legislation of Europe and America during the last five hundred years; and yet we are told that legislative power is incompotent to the abolition of slavery!

To the evidence thus furnished of the recognition of the competency of legislative power to abolish slavery, by its actual abolition, I may add the admission of it clearly implied in the Constitutions of five of the slaveholding States of this Union—namely, those of Georgia, Alabama, Mississippi, Kentucky, and Arkansas—all of which expressly prohibit the Legislatures of those States from passing laws for emancipating slaves without the consent of their owners—thereby admitting that, without such prohibition, the power to pass such laws would exist.

To all this I might add the authority of numerous distinguished names from among slaveholding statesmen and jurists of our country; such as Pinkney and Martin of Maryland, and Washington, Jefferson, Madison, Henry, Pendleton, Mason, Wythe, Lee, and St. George Tucker, of Virginia. I shall refer more fully to the declarations of some of them hereafter, for another purpose. I will only here say, that General Washington repeatedly declared that the abolition of slavery ought to be effected "*by legislative authority,*" and that "*at a period not remote.*"

But I have further authority on this point, in the action of this Government itself, to which I desire now to call your attention, and in which you will find the power of abolishing slavery exercised in cases in which it was much *less* clearly authorized than it is in the case before us.

The abolition of the slave trade, no one will deny, involves the great principle of the right to abolish slavery. That trade on the high seas, in American vessels, Congress has abolished, or attempted to abolish. It has authorized the commanders of its armed vessels to capture the slaveship, take from its owner his cargo of men, and bring in his vessel for condemnation, and himself for trial as a pirate.

Now, by what authority has Congress thus interfered to wrest from citizens of the United States men bought with their money? By what authority has it interfered with "vested rights?" By what authority does it thus take "*private property?*" Does the Constitution say that Con-

gress may legislate in "all cases whatsoever" touching the African slavetrade? No. It simply declares that "the Congress shall have power to regulate commerce with foreign nations." It is upon the foundation of this simple grant of power, that Congress has reared its structure of slave-trade-prohibiting legislation, and has brought up, for the top-stone of the noble edifice, *the punishment of* DEATH.

But further. Congress, by an act passed on the 7th of April, 1798, prohibited, under a heavy penalty, the importation of slaves from any place without the limits of the United States, into the Territory of Mississippi; and declared that, upon such importation, such slaves *should be free*. It also, on the 26th of March, 1804, enacted a similar prohibition of the importation of slaves into the Territory of Orleans, with a similar provision for their freedom.

By what authority were these abolition acts passed? Simply in virtue of that clause of the Constitution which declares that "the Congress shall have power to dispose of, and make all needful rules and regulations respecting, *the territory* or other property belonging to the United States;" a power by no means so clearly reaching the "case" of abolition, as that of legislating "in all cases whatsoever" within and for the "ten miles square." Let it not be said that the prohibitions to which I have just alluded were enacted under the authority of that clause of the Constitution to which I have before referred the abolition of the foreign slave-trade, since the authority derived from *that* clause, to prohibit the importation of slaves, was prohibited to be exercised prior to the year 1808; while these acts prohibiting their importation into the Territories of Mississippi and Orleans were passed in 1798 and 1804.

But there is a still more striking illustration of the pushing of legislation to "the verge" of constitutional power in favor of human liberty, in the celebrated ordinance of 1787 "for the government of the Territory of the United States northwest of the river Ohio." The sixth of the "articles of compact" of that ordinance declares that "there shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes." This article not only prohibited the future introduction of slaves into the Northwestern Territory, but, in effect, abolished the slavery which then existed there. This is sufficiently obvious from the terms of the ordinance. And such is the effect which has been given to it by judicial decision. I refer to the case of Harvey and others *vs.* Decker and Hopkins, decided by the Supreme Court of Mississippi, in the year 1818.—Walker's reports, p. 36.

This was the case of three slaves who had been taken by Decker from Virginia to the Northwestern Territory, in 1781, where they remained until after the ordinance of 1787, and until the year 1816. How the case came up for adjudication in Mississippi does not appear. It was fully argued upon a motion for a new trial, and the Court decided that the slaves were emancipated by the ordinance of '87. One of the points made in the case was, that whatever might be the effect of the ordinance, the slaves were emancipated by the Constitution of Indiana, adopted in 1816. This was resisted on the ground that to give it such an effect would be to violate *vested rights*. The decision of the Court on this point, coming from the highest judicial tribunal of a slave State, is worthy of special notice.

"What (say the Court) are these vested rights? Are they derived from Nature, or from the municipal law? *Slavery is condemned by reason and the laws of Nature.* It exists, and can only exist through municipal regulations; and, in matters of doubt, is it not an unquestioned rule that Courts must lean *in favorem vitæ et libertatis?* Admitting it was a doubtful point whether the Constitution was to be considered prospective in its operation or not, the defendants say, You take from us a vested right arising from municipal law. The petitioners say, You would deprive us of a natural right guarantied by the ordinance and Constitution? How should the Court decide, if construction was really to determine it? In favor of liberty."

That the practical effect of the ordinance was to emancipate the slaves within the Territory at the time of its adoption, (and that, too, let it be remembered, without compensation, appears from the fact that slaveholders in the Territory petitioned Congress for a repeal of that part of the ordinance touching the subject of slavery, upon the ground that it *had* such an effect. I refer to the memorial of "the inhabitants of the counties of St. Clair and Randolph," Illinois, presented to Congress on the 12th of January, 1796. It is an interesting document, embodying as it does the principal arguments now urged, and always urged, against the emancipation of slaves without the consent of their owners; and showing the tenacity with which slavery clings to its wrongful possessions. Let me state the substance of it.

The memorialists declared the ordinance to be contrary to a fundamental principle in all free countries, "that no *ex post facto* law should ever be made." They stated that they were, at the date of the ordinance, possessed of a number of slaves, which the sixth article "seemed to deprive them of, without their consent or concurrence;" and they complained that the effect of that article was to deprive them, not only of the slaves holden by them at its date, but—what was a great grievance!—of the children of those slaves born after that date; their right to whom, they affirmed—and, as I think, with great truth—to be *as* indefeasible as the right to their parents. They close their complaint by saying that, so far as it respected them, the ordinance was altogether *ex parte*; and that, if *they* had been consulted, they would never have made a compact depriving them of their most valuable property.

Such was the ordinance of 1787—an ordinance passed unanimously, with the exception of a single vote. It is worthy of remark that, although this ordinance was drawn by a distinguished member from Massachusetts, (Mr. DANE,) yet the idea of abolishing slavery in the Northwestern Territory was originally brought out by Mr. JEFFERSON, having been suggested by him as early as 1784, in his report, as chairman of a committee of Congress, of a plan for the government of that Territory.

And now, sir, by what authority did the Congress of '87 thus abolish slavery in the North-western Territory? Was there any power to do it conferred by the Articles of Confederation, which will at all compare with the authority given to Congress in the present Constitution to abolish slavery here? None will pretend it. And yet the ordinance was passed, and slavery abolished—so strong was the anti-slavery feeling of that day—so ready were the men of the Revolution to strain authority to the very utmost, for the purpose of banishing slavery from the land which freemen's blood had been profusely poured out to redeem from oppression's power.

OBJECTION—PROPERTY CANNOT BE TAKEN WITHOUT PROCESS OF LAW, NOR WITHOUT COMPENSATION.

But it is said that the power to legislate "in all cases whatsoeve" is restrained from abolishing slavery, by the fifth of the amendments to the Constitution which declares that "no person shall be deprived of life, liberty, or *property*, without due process of law." My reply to this is, that the term "*property*," as used in the amendment, cannot be there taken to mean slaves, because the Constitution itself calls them *persons*, and treats them as such. They are described in the 2d section of the 4th article as "*persons* held to service or labor;" and in the 2d section of the 1st article, which provides for their being represented in this body, they are spoken of as "all other *persons*." If, then, it had been intended to prohibit the taking of *slaves* "without due process of law," the amendment should have so described them. The Constitution must be made its own interpreter; and it calls them "*persons*." No more intendment, therefore, can include them within the meaning of the term "*property*."

If it be said that this construction would not make the Constitution prohibit *individuals* from depriving slaveholders of their slaves without process of law, I admit it. The guaranty extending, for the reason mentioned, in nowise to slaves, their "owners" are, of course, left to their rights as existing independent of the guaranty.

The honorable member from Georgia (Mr. COOPER) refers to that clause of the amendment which prohibits the "taking of private property for public use without just compensation," and finds in that an argument against abolishing slavery. "Is it pretended (says he) that this Government has a '*public use*' for this property?" Sir, I admit that abolition does not take for "public use." But I at the same time maintain that it does not *take* at all, within the meaning of the Constitution. It performs a nobler work than *taking* slaves for *public use*. It takes off from them the crushing weight of laws which consign them, without compensation, to the use of others, and restores them to the use of themselves. *This* is abolition.

But I have another reply to the argument drawn from the amendment to the Constitution referred to. It is, that the Government of the United States has always refused to recognise slaves as "property," for which "compensation" might be claimed under the Constitution. In numerous cases in which they were taken into the service by their masters as waiters, and killed in the service, has Congress refused compensation, though it has uniformly made it for horses and other property destroyed by the enemy while employed in such service.

But, what is more directly to the point now before us, Congress has, in passing laws providing compensation for property *impressed* into the service—"*taken* for public use"—expressly refused to include slaves. Thus, when the act of the 9th of April, 1816, "authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States," was under discussion, Mr. MARYATT, of South Carolina, moved to amend the section which provided payment for impressed horses, carts, &c., so as to include *all other property lost in the service*. He particularly called the attention of the House to the cases of slaves used as drivers of wagons, as sailors, laborers, &c. *impressed* into the service, and lost, captured, or destroyed by the enemy. His motion was negatived by a large majority. A similar motion was made by Mr. FORSYTH, on the 24th of January, 1825, to amend the bill authorizing further payment to sufferers during the war, and with a similar result.

In addition to all this, the House of Representatives repeatedly refused, upon the most pressing and urgent applications of Francis Larche, to make compensation for his slave, *impressed* into the service at New Orleans, in the winter of 1814-'15, and killed in the service. A report of the Committee of Claims in this case may be found in the third volume of Reports of Committees, 1st Session, 21st Congress, No. 401; in which numerous cases of rejected applications for compensation for slaves killed in the service are referred to.

CONSENT OF THE PEOPLE OF THE DISTRICT.

It is, in the next place, said that Congress may not abolish slavery here without the consent of the people of the District. This objection has received the sanction of my venerable friend from Massachusetts, (Mr. ADAMS,) in an address to the People of the United States since the last session of Congress, and deserves, for that reason, if for no other, to be well considered. I understand the venerable member to have placed this objection on the ground that it is against the great leading principle of our institutions—that of *self-government*—that the People should be acted on by legislation without their consent. I admit the correctness of the principle, but deny that it sustains the objection. It will not certainly be claimed that the consent must, in all cases, be expressed. There are very few now on the stage who expressly assented to the Constitution when it was adopted; yet nobody denies that we are all bound by it in virtue of an assent, implied. And is not the assent of the people of this District to our legislation implied, upon the same principles? When the territory composing this District was a part of Virginia and Maryland, the assent of its inhabitants to that Constitution which authorizes Con-

gress to exercise exclusive legislation in all cases whatsoever was, in effect, given by the adoption of that Constitution by Virginia and Maryland; and the present inhabitants of the District are bound to submit to that legislation upon precisely the same principle that obliges any of the States to submit to any legislation of Congress constitutionally exercised.

If this reasoning be correct, the assent of the people of this District to the constitutional action of Congress is *implied*; and to require that it be *expressed* asserts a principle which would absolve the People of the whole country from all obligation to obey the laws either of the States or of the Nation.

And here it should be borne in mind that the objection does not apply solely to legislation for the abolition of slavery, but that, from its nature, it is applicable to *all* subjects of legislation affecting the interests of the people of the District; so that the principle it involves strikes at the whole power of Congress supposed to be conferred in the clause of the Constitution we have been considering.

But let us see how the new principle contended for is to be carried out. How is the new piece of timber to be put into the building which has been so "fitly framed?"

There must, it is said, be an express assent of the people of the District. How is that assent to be obtained? By what authority? Shall meetings be called? How and by whom? And when they are called, and come to act—upon what principle—by virtue of what organic law shall the decision of the majority bind the minority, or bind those who do not choose to attend?

And, then, in what form and under what circumstances is the assent to be given? Must the law which we may pass be submitted to the People in their assemblies for their sanction? Or shall they meet beforehand, and give Congress power to exercise legislation in certain cases or upon certain subjects, leaving to Congress the power to settle the details of its own action?

Congress has hitherto always proceeded on the ground that its power to act was derived from *the Constitution*. And when the inquiry has arisen, what are we authorized to do? Wise and learned men have gravely looked into *the Constitution* to determine the question. But, under the new doctrine, the case is entirely changed; and our wise men must lay aside their spectacles, shut the book of the Constitution, and go about to inquire, what power do *the people of this District* think we have a right to exercise? Or what power are *they* disposed to *grant* us? We used to think we must inquire of *the Constitution* to know what we might do, especially as we were solemnly sworn to support it; but now we must inquire of the people of this District! Who ever heard of such a Government as this would be if the doctrine I am combatting should prevail? Surely I need say no more to prove—what every body must see—that it puts an end to the Government of Congress over this District, and abolishes the seventeenth clause of the eighth section of the first article of the Constitution as completely as some of the "men and women" of the North desire to see slavery and the slave trade abolished.

IMPLIED FAITH TO VIRGINIA AND MARYLAND.

It is further objected to the exercise of our power of abolishing slavery and the slave-trade here, that it would be a violation of the "good faith to Virginia and Maryland, implied in the cession and acceptance" by Congress of the territory which forms this District.

"Good faith implied in the cession and acceptance." What does this mean? It must mean this: that there was something in the cession and acceptance, or in the circumstances connected with them, that raised a *confidence* in Virginia and Maryland that the Government of the United States would not abolish slavery or the slave-trade in the District—this confidence, from which ever of these sources derived, carrying with it a corresponding pledge on the part of the United States that such action should not take place.

Now it is manifest that there could have been no such pledge *implied*, because there could properly have been none such *expressed*. Congress had no power to make such pledge. It would have been utterly void, if made, because the Constitution having given to Congress power to "exercise exclusive legislation in *all cases whatsoever*" over the District, no one Congress can, by any act, restrict a subsequent Congress to the exercise of that power in *some* cases only; if it could, it would have the power to alter the Constitution by act of legislation.

But, waiving this, let us look into the acts of cession and of acceptance, and see whether any thing can be found from which the supposed confidence could be raised on one side, or the supposed pledge implied on the other.

The acts of cession, one dated December 3, 1789, and the other December 19, 1791, are as follows:

"*Be it enacted by the General Assembly*, That a tract of country not exceeding ten miles square, or any lesser quantity, to be located within the limits of the State, and in any part thereof, as Congress may by law direct, shall be, and the same is hereby, forever ceded and relinquished to the Congress and Government of the United States, in full and absolute right, and exclusive jurisdiction as well of soil as of persons residing, or to reside, thereon, pursuant to the tenor and effect of the 8th section of the 1st article of the Constitution of the Government of the United States."

Such were the cessions. "*Full* and *absolute* right and *exclusive* jurisdiction of soil and persons residing or *to* reside thereon." And that there should be no hesitancy on the part of the United States to accept the cessions, on account of any supposed failure to make the grants they contained, co-extensive with the grant of power to Congress in the Constitution, it was added, "pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the United States."

The acts of Congress accepting these cessions are mere acts of acceptance, containing nothing which has the slightest bearing on the present question.

Now, what is there in these cessions and their acceptance to raise an expectation on one side, or imply a pledge on the other, that the power to abolish slavery was to become a practical exception from the "exclusive jurisdiction" expressed in the cessions, or from the authority to legislate "in all cases whatsoever," given in the Constitution, to which they refer? What sort of "*good faith*" is it which, in the face of so plain a grant of *all* power, excepts, without any language expressing or implying such exception, the important power now in question? Could not the ceding States have incorporated in their acts a proviso that nothing herein contained shall be construed to vest in the United States, or to recognise, in any manner, the power to abolish slavery in the ceded territory? And shall they, having failed to make, or attempt to make such stipulation, now claim that it was *implied* "in the cessions and acceptance of the territory?" This omission to except the case of the abolition of slavery is the more significant because there was, in these acts, a reservation really made, namely, "that nothing herein contained shall be construed to vest in the United States any right of property in *the soil*, or to affect the rights of individuals *therein*, otherwise than the same shall or may be transferred by such individuals to the United States."

Now, why was there not connected with this reservation the stipulation I have suggested in favor of slavery? It could not have been for want of *caution* in the Legislatures of Virginia and Maryland; for there was a *very extreme* caution exercised in making the reservation as to the soil—since it in quite obvious that, without such reservation, no property of individuals in the soil could have passed to the United States. Nor could the omission have been the effect of an impression that the grant of power by the Constitution to Congress was *not* full and complete, so as not to *require* an express exception, if any was desired or intended; because the subject of the extent of the powers granted to Congress over the District had then recently been discussed, as I have shown, in the Virginia Convention, where it had been maintained that the power was "unlimited"—extending to "every possible case." Neither could the omission have resulted from a supposition that, as the *Constitution* had granted to Congress power to legislate "in all cases whatsoever," it would be incompetent for Virginia and Maryland to make the stipulation that it should not legislate in a particular case—since it had been expressly declared in the Virginia Convention by Mr. Madison, the father of the Constitution, "that the ceding States *might* settle the terms of the cession," and "make what stipulation they please in it." Nor could the omission to make the stipulation have resulted from an impression that it was *unnecessary* to stipulate against the exercise of a power *not* within the competency of legislation; since the competency of legislative power to abolish slavery was then universally conceded.

Whence, then, the very significant and important omission to settle this question by a stipulation in the acts of cession? There can be but one answer to this question; and that is, that Virginia and Maryland *did not intend to make such a stipulation*; they did not, in fact, desire to make it. The subject of the power of Congress, under the general grant of power to legislate in all cases whatsoever, did not escape the attention of the leading men in those States. They knew that by the cessions they parted with all jurisdiction over the territory; that Congress was made its exclusive Legislature; and that legislative power was then relied on as a legitimate means for abolishing slavery; and yet, with their eyes thus wide open, they ceded the ten miles square, and expressly confirmed the ample power over it granted to Congress by the Constitution, without the slightest attempt to impose any limitation whatever upon the exercise of that power in the abolition of slavery.

While the supposition of an "implied faith" to Virginia and Maryland is thus clearly negatived by the terms of the cessions, and the significant omission of any stipulation in them in favor of slavery, there are other considerations which render it manifest that no such limitation can be implied.

What is the ground of the supposed "good faith" to Virginia and Maryland? It is the assumption that the abolition of slavery and the slave-trade here would injuriously affect the interests of those States. But is legislation on the subject of slavery the only legislation which the principle of this objection would reach? Is there, in fact, any legislation capable of affecting the interests of the neighboring States, to which it might not be applied? Might it not, for example, reach the criminal code which we might enact for the District? or the licensing of lotteries or gaming establishments in it? or our legislation upon the subject of the currency here?

Does not the principle of this objection strip us of all power, not only over the subject of slavery, but over every other subject, our legislation on which might affect the feelings or the interests of Virginia and Maryland, and send us, cap in hand, to those States, in the attitude of inquiring what we may do in the execution of our powers of legislation? Who is willing to take this attitude? Who dreamed, at the adoption of the Constitution, that the Federal Government would ever be brought to the necessity of taking it?

And, then, the same difficulty would exist in case *the people of the District* should—as it is contended they must do—give their assent to the action of Congress abolishing slavery; for the abolition would be just as injurious to Virginia and Maryland, if effected by Congress *with* the consent of the people of the District, as without it. Indeed, the principle of the objection would be just as fatal to the right of the people themselves to abolish slavery here, as to the right of Congress to do it. The objection, in fact, places both Congress and the people in the same position, in regard to abolition, as are the individual citizens of Virginia and Maryland. It is one of the most unjust and oppressive features of their slave systems, (a feature which marked the

cruel and sanguinary system of *Spartan* slavery) that individuals are prohibited from emancipating their slaves, except upon condition of the *banishment* of the emancipated; though a *dispensation* may be, and sometimes is, granted by special act of legislation.

The cruel policy which compels the citizens of those States (where the rights of conscience are carefully guarded in other respects, but flagrantly violated in this!) to hold their brethren in bondage, against their strongest convictions of duty, and the noblest impulses of a generous nature, is thus extended over to the Government of the United States; so that, although under a conviction of the claims of justice, it might desire to abolish slavery here, and thus cease to stand before the world in the character of a slaveholding Government, it could not do it without going, with the slaveholders of Virginia and Maryland, to the Legislatures of those States for the enactment of dispensing statutes!

Such is the humiliating position in which the slave power seeks to place the Government of this republic!

It being thus apparent that there is nothing in the "cessions and acceptance" implying the "good faith" which is relied on; and that such implication, carried out, would subject Congress to an absurd and degrading subserviency to Virginia and Maryland; the question recurs, where shall we find this mysterious "good faith," which is in every body's mouth, but which nobody can define, and nobody seems perfectly to understand?

Mr. Speaker, there never was any such thing as the "implied faith" that is contended for. It did not enter the conceptions of either of the parties when the cessions were made and accepted. Virginia and Maryland *now desire* to limit the action of Congress on the subject of slavery. They *then* desired no such thing.

If the objection were placed on the ground of the *present wishes* of Virginia and Maryland, then I may give them all the effect to which the desires of those States are fairly entitled; but, when they place it on the high and imposing ground of a *breach of implied faith*, my reply to them is, that there is not and never was any such implied faith as they contend for; that the change in their minds since 1789 does not change the character of the enactment and acceptance of the cessions; and that they must, therefore, be content to abide by them according to their fair import.

Indeed, I go further, and say that the state of public sentiment on the subject of slavery at that period, and the universal expectation then entertained that slavery would, at no distant day, be abolished, not only negative the idea of the implied faith contended for, but furnish the strongest ground for an *opposite* implication. I shall presently, for a more general purpose, produce such evidence of that public sentiment and expectation as will, I trust, satisfy the most incredulous that, instead of objecting to the action of Congress on the subject of slavery *here*, the States of Virginia and Maryland were bound, in good faith, long since, to have abolished slavery within their own limits; and that their neglect to do so is just ground of complaint on the part of the United States. In no part of the Union were there louder and more bitter denunciations against slavery than in those same States of Virginia and Maryland when the territory was ceded and accepted. It was not only universally admitted, as I have shown, that the abolition of slavery was within the competency of legislation, but that it must and would be effected, to use Washington's language, "*at no distant day.*" The cessions of this territory, therefore, it must be apparent to all, were accepted by Congress with the expectation, well understood by Virginia and Maryland, that the District about to be set apart for the seat of Government would soon cease to be surrounded by a slave population—a consideration which may well be supposed to have had great influence in inducing the decision of Congress to locate the seat of Government here.

Instead, therefore, of the present agitation of the subject of slavery and the slave trade here being justly to be regarded (to use the language of Mr Van Buren to the North Carolina Committee) "as a surprise upon the People of Maryland and Virginia," the surprise should be on the other side; and, instead of "being confident (to use his language) that, if the state of things which now exists had been apprehended by *those* States, the cession of the District would not have been *made*," no man can consider the state of feeling and expectation in regard to slavery at that time, without being confident that, "if the present state of things had been apprehended by" the *Middle and Northern* States, "the cession would not have been" *accepted*.

Such being the true state of this case—such the "faith" *really* "implied" in the history and spirit of the times to which I have referred, is it not amazing to witness what is now passing? Instead of the redemption of the implied pledge to remove from around this seat of Government the curse of slavery, it has been permitted greatly to increase; and this very city has become the great Slave Mart of large portions of these States—insomuch that the Representatives from the free States, and their constituents who come to this city to witness the deliberations of Congress, are compelled to witness the driving of coffles of slaves through its principal avenues, and by the very doors of this Capitol—to witness, in fact, the SLAVE-TRADE, with all its infernal machinery of prisons, whips, chains, and slave-ships—a trade little less horrible—in some of its aspects more so—than that whose prosecution on the high seas our laws have subjected to the punishment of death.

And now, to crown the whole, the very petitions—*prayers* of citizens of the United States, asking, in the name of humanity, the abolition, not of slavery in Virginia and Maryland, but of slavery and *the slave-trade* here, are sneered at, and rejected without a hearing; while the petitioners are branded as "*desperate and despicable fanatics*" on this floor.

Mr. Speaker, need I ask who has the right to complain of a violation of "good faith" in regard to the matter of slavery here?

I come now to another branch of the subject of implied faith of a more general nature; I mean the "implied faith" that Congress will not legislate on the subject of slavery here, and that the People of the North will not agitate the subject—drawn from what is called "*the compromise which lies at the basis of our federal compact.*"

I do not here refer to the assertion often made that "slavery, as it exists at the South, is guaranteed by *the Constitution*," because such an assertion has not even plausibility enough to entitle it to notice in a grave discussion; though there are thousands, probably, who really believe that there is such a guaranty—which those who claim the right of free discussion are wickedly violating. But I state the objection as it is expressed by Mr. Van Buren in his North Carolina correspondence. He did not place it on the ground of a guaranty *in* the Constitution, or inferrible from the Constitution, but of a *faith implied* in "the compromise which lies at the basis of the federal compact." This is surely sufficiently indefinite for the largest convenience of non-committalism.

The compromise! Where is it? And what is it? Those who rely on it profess to *infer* it from the history of the proceedings on the question of slavery in the Convention that formed the Constitution. What is that history? Briefly this:

Slavery existed in a portion of the States. A desire existed at the North to introduce an express provision into the Constitution for its abolition. This the South resisted; and the Constitution was adopted without such provision.

These are the facts. What then was the compromise? A compromise involves a *mutual concession*. What did the North concede? She conceded *the point in dispute*. And what was that? Simply whether the Constitution should abolish slavery. How did this concession pledge the North not to speak, write, print, or petition against slavery?

Mr. Speaker, it seems to me that this simple statement of the case makes it almost too plain for argument. The mind is actually compelled to *labor* to find even plausible ground for the inference of the guaranty relied on; and yet that inference is maintained with great pertinacity. It is said that slavery was an exciting subject, and that the Convention, having agreed to drop it, and make no provision to abolish slavery, there therefore arose an implied guaranty that it should be no more discussed; but that the North should forever after hold her peace!

Now, however incredible this may appear to men of common sense, it is really true that there is sort of sense uncommon enough to draw such an inference. I have no doubt it will amaze many a farmer, when he sits down to read his newspaper, to find that this is the state of the case; and he will be tempted to say that slavery makes as bad work with logic as it does with human rights. What! says he; a guaranty that I shall say nothing about slavery, because the men that made the Constitution, after talking about it awhile, stopped talking, and made a Constitution that did'nt abolish it? This is strange doctrine. I do not agree to it; for, in the first place, these slaves, if they *are* black, are my brethren. The good Book says that God made of *one blood* all nations of *men*; and these slaves are men; and they have feelings, too, as well as I, and rights, as well as I; and I *can't help* feeling for them, and saying what I think about their being held in bondage. In fact, I don't see why the men that pretend to own them might not just as well pretend to own me, and come here and take me. And, indeed, I had almost as lief they would, as to stop my talking about their enslaving the black men; for how can a man help talking when he feels as much as I do? And then, if I have a mind to write, and send it to the printer, I should be glad to know why I may not do it, if I *do* give the slaveholders a little scoring. But my speaking and writing will go but little ways if slavery has a right to say to the printer that he shall not print what I write.

And then I understand that there are six or seven thousand slaves in the District of Columbia, and that there are *pens* there, right in sight of the Capitol, where slaves that have been bought are shut up, until there are enough of them got together to send off to market, away to the South, where they will never see their husbands, nor wives, nor parents, nor brothers, nor sisters, any more. I declare it makes me feel bad to think about them. And I understand that Congress has a right to say that these six or seven thousand slaves shall not be slaves any more; and, also, that slaves shall not be bought and shut up there any more, to be sent away to the South. Now I am told here, in this newspaper, that because the men that made the Constitution stopped talking about slavery, I am prohibited from sending my petition to Congress asking it to exercise its power about slavery and the slave-trade in the District of Columbia.

I know it is said I may petition; but I do not see what use there is in sending my petition to my representative, if, the moment he gets up with it in his hand, it is to be *considered* as *objected to*, and the question about its being received is to be *considered* as laid upon the table. Now, I *consider* that it all amounts to saying, in a sort of back-handed way—and I dislike it the more for that—that my petition shall not be *received* or *considered*; and I would as lief they would say that I shall not write it and send it as to do this; for if they will not *hear* me, what's the use in sending my petition, and asking my representative to present it?

Now, as I said, I do not agree to all this. These rights of speaking, and writing, and printing, and petitioning, are *great rights*, which I am thinking these Constitution-makers would have had no business to stop the exercise of, even if they had put it in the Constitution; and certainly that it cannot be stopped merely because they stopped talking about slavery; for, if I understand the matter, that stopping only meant that they would say no more about abolishing slavery by the Constitution; and what shows this is, that they went to talking about slavery, and writing about

it, and printing about it, and having societies about it, and petitioning about it, right off after the Constitution was formed.

And, besides all this, the Constitution, if I remember right, says that Congress shall make no law abridging the freedom of speech or of the press, or the right of the People to petition for a redress of grievances. Now, I think it is pretty essentially abridging these rights to say that I shall not speak nor write, nor have my writing printed, about slavery; and that I shall not petition against slavery and the slave-trade in the District of Columbia; for, if there ever was any thing that *grieved* me, it is *that* slavery, and *that* buying and selling, and driving and shipping to market, of men, women, and children in that District.

The good Book, again, tells me to remember those that are in bonds as bound with them; (and this—*as bound with them*—I take it, *means* something;) and yet I must not say, or write, or print a word about my feelings, because the Constitution-makers stopped talking about slavery while they were making the Constitution. And then, again, I may pray, and do pray every day, to my Heavenly Father for the slaves, and *His* ears are open to my prayer; and yet, Congress shuts its ears, and won't hear me, because the Constitution-makers stopped talking about slavery while they were hammering out the Constitution! How absurd it is to suppose an *implied* guaranty against the exercise of these rights, when that very Constitution *declares that they shall not be abridged*, and does not make any exception of the case of slavery! I am told it was Virginia that was the means of putting this into the Constitution; and I thank Virginia for it. Now, it seems to me that, if they had meant to except the case of slavery, they would have said so right out, and not left it to this loose sort of understanding, which, after all, I do not see was any understanding at all.

The fact is, it's a pretty great affair to take away these natural rights of speaking and printing and petitioning; and especially to take them away in such a case as this. And then, to take them away by implication, too. Why, if I had seen it in the Constitution itself, I should hardly have believed my eyes; and yet they say I am deprived of these rights by implication! Now, it seems to me that in such a case as this, if there is to be any thing implied, it should be the other way; that is, in favor of my natural rights, and especially in favor of the rights of the poor slave, that I think about just as much as I do about my own.

And now, to sum up the whole matter, it is my opinion that this implication ought to be turned the other end foremost. That's the natural way; and, besides, I have heard it said that when the Constitution was made, every body expected that slavery would be abolished in a little while; and, as I don't see how that could be done unless folks were to be allowed to speak and print against it, I think that is evidence that the understanding was that way.

Now, Mr. Speaker, look at this ploughman, as he lays down his newspaper, takes off his spectacles, and thus reasons, and tell me if his argument is not conclusive and unanswerable.

Such, sir, is the *common sense* which is at work among the People upon this question, which slavery has so much mystified; and this is the way the cobweb arguments that have been elaborated for its protection are swept away. You will perceive that my farmer has brought his reasoning to a very important conclusion, namely, that all implication in such a case should be in favor of natural rights; and, therefore, should, in this case, be exactly the reverse of what is claimed in behalf of slavery. And is he not correct? Is it not demanded by the common sense and unperverted feelings of all men, that *implication* shall never be permitted to take away or abridge such important rights as those of speech and the press, and petition, or be used to sustain such a usurpation as that of slavery? Does not natural justice revolt at it? Does not humanity, in her breathless struggle for victory over oppression, after a contest of ages, cry out against it? And yet this very implication is now claimed to "lie at the basis of our Federal compact!"

An implied pledge that the rights of speech, and the press, and petition, shall be sacrificed in favor of slavery? What, sir, would have been the sensation in the Convention of '87 if such a pledge had been presented for its action, in the form of an article of the Constitution? What expressions of amazement and indignation would have lowered in the countenances of Washington and Madison and Franklin upon its annunciation; and how would its adoption have shaken the country with a very earthquake of indignant feeling! And yet *now!* "the compromise of the Constitution" and "the guaranty of the Constitution" and "the implied faith of the Constitution" in favor of slavery are as familiar with Southern gentlemen, in their discussions of this subject, as household words. Sir, it is time this delusion were dispelled, and the Constitution, in its true relation to this great question of slavery, properly understood.

Though, Mr. Speaker, the ploughman's common-sense argument seems to me quite sufficient to settle this question, yet there are other reasons, not, of course, so readily occurring to him, which greatly strengthen the conclusion to which he arrives, namely, that the implication, instead of being against the free exercise of the rights of speech and the press, and petition, was clearly in its favor. This implication necessarily *grows out of the Union itself*—that very Union from which the contrary implication is attempted to be drawn.

The Union *gave to the North a new and deep interest in the question of slavery*. *Without* the Union, the People of the North would have felt the strong impulse of motives to which no heart can be insensible, urging the consideration of a subject so deeply interesting to the human race. But, when the Union was formed, they came to sustain to slavery a new relation, involving interests and rights having important bearings on the present question.

In adopting the Constitution, the North entered into a stipulation to deliver up fugitives from oppression—a stipulation whose execution is abhorrent to humanity, and from which the *whole*

soul of a freeman instinctively revolts. Provisions also were conceded whereby the power of the whole Union was pledged to protect the States from invasion, and to put down domestic violence. The relation of all these stipulations to slavery is obvious. The *burden* they imposed is obvious—a burden rendered severer by the unnatural character of stipulations to aid in sustaining slavery. Nature itself dictates that such stipulations should never, by any construction, be extended beyond the strict "letter of the bond;" and that, while a literal compliance is yielded, the largest liberty should be allowed to the burdened party to use all lawful means to remove the necessity of a compliance. Thus, for example: If I were bound by specific obligation to deliver up to my neighbor his fugitive slaves, and to assist him in putting down their efforts to regain their natural right, and to defend him from attacks which might be invited, and rendered more hazardous to him by their presence in his family, every body would say that this very obligation would give me a peculiar claim to use all reasonable means to persuade him to emancipate them, and thus release me from the burdensome and unnatural obligation.

The North is, moreover, bound to assist in providing "for the common defence," as well as specifically to defend each State from invasion, and to put down domestic violence. And will it be asked what has the North to do with slavery, when it is considered what an *element of national weakness* exists in the two millions and three quarters of slaves within the limits of the nation? The South now say—hands off; let us alone! But should they come to feel the combined pressure of foreign war and domestic insurrection—which may Heaven avert!—should not we of the North be bound by the Constitution to pour out our blood and expend our treasure in grappling with slavery—it might be, in its strongest paroxysms of despair and desperation? And shall we not be permitted to *ask* our Southern brethren to avert this danger, by converting these millions of natural enemies into grateful friends, and thus turning this element of weakness into an element of strength? Can anything be more reasonable than this?

I know the South affect to despise these stipulations of the Constitution, and say, 'we ask none of your help—we can take care of ourselves.' But who does not perceive the use which a foreign enemy might make of the slave population, now numbering a little less than three millions—a fearful number!—but rising, it may be, to ten, fifteen, or twenty millions? Who can calculate the strength of the inducement that might be holden out to them? Freedom! What allies would this word raise up, and bring to the aid of an invader! And where *then* would be the boast, we want none of your help—we can take care of ourselves!

Think not, Mr. Speaker, that this is the mere creation of an excited fancy, introduced here to help out an argument for abolition. It is as impossible to contemplate the existence of a *rapidly-increasing* slave population in our country without such forebodings as it would be to be unmindful of a *magazine* in presence of an enemy, with bombshells charged for its explosion. Whoever has read the debates in the Virginia Convention, in 1788, upon the United States Constitution, will remember the glowing picture of this danger drawn by Patrick Henry, and the argument he founded on it, that the obligation imposed on the General Government to "provide for the common defence" carried with it a right not only to say "that every black man must fight," but a right actually to abolish slavery within the States. It is not to my present purpose to discuss *that* question; but it *is* to ask whether there is not enough in the basis on which he founded his argument to justify the People of the North in the utmost exercise of their *rights* of speech and the press, and petition and legislation against slavery.

If there are any still disposed to regard with indifference the argument I have drawn from this source, let me commend to their special attention the extract which I will now read from a speech of Mr. MADISON, in the first Congress, in 1789. Speaking of the abolition of the slave-trade, he says:

"I should venture to say it is as much for the interests of Georgia and South Carolina as of any State in the Union. Every additional duty received to their number of slaves tends to *weaken* them, and renders them less capable of self-defence. In case of hostilities with foreign nations, they will be the means of *inviting attack*, instead of repelling invasion. It is a necessary duty of the General Government to protect *every* part of the empire against danger, as well *internal* as external. Every thing, therefore, which *tends to increase this danger* though it may be a local affair, yet, if it involves *national expense or safety*, it becomes of concern to *every part* of the Union, and is a proper subject for the consideration of those charged with the general administration of the Government."

Thus you see, sir, that the *very* father of the Constitution—the man so eminently distinguished for his intelligence, his sound judgment, and his sober, practical views—perceived, and yielded to the force of the argument drawn from the *weakness* and the *danger* of slavery.

And, Mr. Speaker, how greatly is this argument strengthened by the rapid increase of the slave population; and especially by the obstinate determination evinced to resist all attempts to prepare to its abolition, accompanied even by studied vindications of it as an institution to be sustained and cherished. Who will not feel impressed with a sense of this danger when he hears such declarations as the following from a Governor of one of the slave States of this Union:

"Domestic slavery, therefore, instead of being a political evil, *is the corner-stone of our republican edifice.* No patriot who justly estimates our privileges will tolerate the idea of emancipation, at *any period*, however remote, or on any condition of pecuniary advantages, however favorable. I would as soon open a negotiation for selling the liberty of the State at once, as for making any stipulations for the ultimate emancipation of our slaves."

Having spoken of the attempts of those whom he calls "foreign incendiaries" to rouse the South out of its suicidal attachment to slavery, he says:

"It is my deliberate opinion that the laws of every comm unity should punish this species of interference by *death without the benefit of clergy*, regarding the authors of it as *enemies of thehuman race!*"

Such was the declaration of Gov. McDuffie in a message to the Legislature of South Carolina n 1834; and it has since been followed by the notorious threat of *hanging*, made on the floor of the Senate of the United States.

Can any body fail to see, in the infatuation of all this, augmented danger in the institution of slavery?

But, Mr. Speaker, aside from all considerations of *national hazard*, or of mere constitutional obligation of defence and protection, how strongly must the North feel impelled to take an interest in the matter of slavery by the simple *relation of brotherhood* resulting from the Union. *This* can be better felt than described, but is nowhere better described than in the simple, touching declaration: "Whether one member suffer, all the members suffer with it; or one member be honored, all the members rejoice with it." It is impossible to extinguish this feeling!

But, besides, let it be considered that, by bringing into the Union, the North made slavery in a sense its own—that is, to the extent of the express stipulations to which I have referred. And it has since become emphatically its own, to the extent of slavery in this District, and a slave-trade here as horrible and disgraceful as is to be found in Christendom. Has not the North, as well as the whole country, thus assumed a high responsibility to liberty and humanity? And may not the People of the North, and of every part of the United States, seek to discharge that responsibility by any and all the means which the full extent of power recognised in the Constitution shall warrant?

In asking, as is so often done, "What has the North to do with slavery?" it seems to be supposed that, because the North have no power to *legislate* slavery out of the slave States, therefore they have no right to attempt to *reason* it out, without reflecting that, while legislation by the Congress of the United States is limited by the grant of power in the Constitution, there is, and from the nature of the case can be, no such limitation to the exercise of moral power. *Its* legislation, so to speak, is not the creature of constitutional grant. It has a higher origin; it rests on a deeper foundation. Its jurisdiction is the world. It seeks no aid from civil power. It acts on mind, and with a mightier than the civil arm—with an energy which no such arm can resist. Wherever mind can come in contact with mind, through the agencies of speech and the press, there, restrained by nothing but truth and justice, it puts forth its energies, and achieves its victories.

While the Constitution gave to "the People of the United States" no authority to repeal the slave laws of the States, and banish slavery from their borders, it left truth—omnipotent truth—truth unfettered—free as the spirit of man—to take the wings of the morning, and fly to the uttermost parts of the land. Instead of attempting the impossibility of binding it, the Constitution guarantied to it it a tongue and a press, and left to go forth to its mighty conflict with error.

It seems to me that those who deny this freedom to truth, and claim that it is bound by constitutional fetters, do not reflect on the strange, anomalous condition in which they thus place the free States of this Union. To most of the civilized world we may freely utter the voice of truth on the subject of slavery, (for by what lines of latitude, or mountains, or oceans, can that voice be confined,) while to our Southern brethren we may *not* speak, because—they *are our brethren!* Were the Canadas slave States, we might bring to bear on them—as Great Britain has, through her West India emancipation, upon the Southern States of this Union—an anti-slavery influence which they would find it difficult to resist. Nothing but a wall reaching to heaven, and penetrating to the centre of the earth, could exclude that influence. And yet the *Union* of these States has reared upon "Mason and Dixon's line" that wall of separation! It leaves, indeed, a gate through which the North may pass, and *must* pass, when danger threatens; but when we have poured out our blood to aid in protecting and securing slavery, we must retire, without uttering, on pain of death, one word of admonition against a continuance of the institution. We must fight and pay to suppress its insurrections, but may not reason and remonstrate to put an end to its injustice, and relieve the country from its danger. And this is the *Union!*

I have sometimes heard it said that, in forming the Union, the North took the South with the incumbrance of slavery, and must patiently bear its evils. But the South, it may with equal propriety be said, took the North with the incumbrance—if such it may be called—of freedom. Each necessarily subjected itself to the influence of the other—an influence exerted by the official intercourse growing out of a common Government, and the facilities of social and commercial intercourse resulting from the Union.

And, sir, the North has felt that influence, and still feels it! It has, as I shall soon show, felt it ever since the Government went into operation, in the control which slavery has maintained over its whole action. Where the balance of influence will ultimately fall remains to be seen. If the free States are *true to themselves and to the great principles of freedom*, standing firm in their defence, there can be no doubt that those principles will finally triumph. But, to secure that result, there must be a better understanding of those principles, and more firmness in maintaining them, than I have ever been permitted to witness here.

There is, Mr. Speaker, something monstrous in the idea that *this Union* was formed *to perpetuate slavery*. Yet such is to be the result if the claims of the South are to be sustained; for the Union is, in effect, thereby thrown around slavery as a shield of defence against the power of truth, which *might otherwise be brought* to bear against it. *Before* the Union, we might have spoken, and spoken with great effect. *Without* the Union, we might now put forth our

moral power in unison with the influence of British emancipation. But the Union has been formed, and—we must be silent! While the rest of the world is moving on this great question of human rights, we must be silent because we have formed the Union! This whole land is to be shrouded in the darkness of Egypt, and hushed in the silence of death on the great subject which is moving Christendom, because we have formed the Union!

Mr. Speaker, if this is to be the effect of the formation of this Union—if it is thus to become an instrument of perpetuating slavery, then should the preamble to the covenant of silence, the compact of iniquity, have been made to read thus: "We the People of the United States, in order to form a more imperfect Union, establish injustice, ensure domestic discord, provide for the common weakness, promote the general injury, and secure the curses of slavery to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

Such, sir, should have been the preamble to the Constitution; for it would be perfectly descriptive of it if the Union, of which it is the compact, is to become what the claims of the South would really make it—*an instrument of perpetuating slavery.*

It is urged, as an argument for suppressing freedom of speech and the press, and petition on the subject of slavery, that the free exercise of these rights will have the effect of dissolving the Union. Now, sir, I maintain precisely the reverse of this. I maintain that this very suppression, if it can be effected, will, of itself, dissolve the Union. You might as well expect that the stopping up of Ætna's crater would not produce an earthquake, as that a dissolution of the Union would not follow such a suppression. Every man who knows any thing of the nature of the human soul, and the power of its agonizing sympathies with human suffering and oppression, must admit this. Beware how you trifle with these sympathies! Call them weakness—brand them as fanaticism—denounce them as incendiary. Yet they exist, and will exist, and ought to exist; and your contempt and abuse of them will only increase their intensity.

Sir, if you would preserve this Union, cease to treat thus contemptuously the best feelings of the human heart. Cease to hurl back in the faces of the men and women of the North their humble petitions, praying, in the name of our common humanity, that you would repeal your laws which hold their brethren in bondage. Sir, you owe it to them; you owe it to the Constitution; you owe it to the great principles of liberty which this nation drew in with the first breath of its existence, and which send the pulsations of health through every part of our Republican system, not to abridge the liberty of speech, and of the press, and of petition in connexion with the subject of slavery. If you *will* assail these rights, let it be in connexion with some other subject; but never—*never* in connexion with this! Guard them with vestal vigilance. If slavery suffers from them, it *must* suffer. If it falls in its contest with "truth left free," then let it fall. Its fall will be the safety of the country and the perpetuity of the Union.

Mr. Speaker, is *slavery* to be put in competition with the freedom of speech, and of the press, and the right of petition? Which shall be surrendered, the slavery of the black man? or the noblest freedom of the white man? If both cannot live together, which shall die? Who can doubt—who can hesitate on such a question? And yet, sir, we are told that this contest between freedom and slavery was settled fifty years ago in favor of slavery—not by the Constitution—that would have been monstrous!—but by implications growing out of "the compromise that lies at the basis of the Federal compact!" Sir, if *this* implication lies at the basis of the compact of our Union, then was the Union placed on a *mine*, to be shattered into a thousand fragments by its inevitable explosion.

And, sir, what I say of the effects of the abridgment of the freedom of speech and of the press, and of the right of petition, which is insisted on as a part of the "compromise," I must say of slavery itself. Its *permanency* is utterly incompatible with the permanency of this Union. Who can expect that a free People can be held in fraternal embrace *forever* with a community where slavery is *cherished* and proclaimed as "the corner-stone of republican institutions?" *The thing is impossible.* "The lily and the bramble may grow in social proximity, but liberty and slavery delight in separation." Such was the sentiment of Pinkney, uttered in the Maryland House of Delegates fifty years ago. And, sir, what he thus uttered as a general truth will, as sure as man is man, become *history*, if the South *persist* in maintaining slavery against the feelings of the North, and against the enlightened judgment and enlarged humanity of the civilized world. If the framers of the Constitution had attempted to form a compact of union specifically providing for the perpetuity of slavery, they would have been guilty of the most consummate folly; and yet we now hear of "the guaranties of the Constitution," and "the compromises of the Constitution," in favor of slavery! Sir, the guarantics were all the other way—guaranties drawn from the very nature of the Union, from *the spirit of the times* in which it was formed, and from the great principles which "lie at the basis" of all our cherished institutions.

While looking at the objection to the exercise by Congress of its power of abolishing slavery here, drawn from a consideration of the indirect influence of such legislation upon the institution of slavery in the States, which seems to constitute the burden of the objection, I have been reminded of the view taken of the indirect influence of Congressional anti-slavery legislation by Mr. Madison, in the debates in the first Congress, to which I wish to call the particular attention of the House.

Congress, it will be recollected, was prohibited by the Constitution from abolishing the slave-trade prior to the year 1808. In the debate upon a petition of Dr. Franklin and others—to which I shall by and by more particularly refer—praying that Congress would "step to the very

verge of the power vested" in it for discouraging the traffic in slaves, the same objection was urged against the action of Congress which is now urged.

On that occasion, Mr. JACKSON, of Georgia, said:

"I apprehend if, though the interference of the General Government, the slave-trade was abolished, it would evince to the people a disposition towards a total emancipation, and they would *hold their property in jeopardy*. I hope the House will order the petition to be laid on the table, in order to prevent *alarming our Southern brethren*."

And what said Mr. MADISON to this?

"He admitted (says the report of that debate) that Congress is restricted by the Constitution from taking measures to abolish the slave-trade. Yet there are (said he) a variety of ways by which it could countenance the abolition; and regulations might be made in relation to the introduction of them into the new States to be formed out of the Western Territory. He thought the subject well worthy of consideration."

Thus, though Congress could no more *then* abolish the slave-trade than it can now abolish slavery in the States, yet, in Mr. Madison's opinion, it might very properly so exercise its admitted powers of regulating the introduction of slaves into the new States, as to "*countenance*" the abolition of the trade. Georgia and South Carolina were then as jealous of the action of Congress upon the subject of slavery, lest it should countenance the abolition of the slave-trade, and place "their property in jeopardy," as they now are lest the action of Congress in abolishing slavery and the slave-trade in this District should countenance the like abolition in the States. But Mr. Madison was not to be deterredby this from going, in the language of Dr. Franklin's petition, to the "very verge of the power vested in Congress" over the subject of slavery. The modern notions of expediency in regard to this matter seem not to have entered his mind. Then, indeed, slavery did not stand so much higher than any other interest in the country, as to reverse all the ordinary principles of legislation for the purpose of its security and protection. On the contrary, it was considered right to exercise the power of Congress over the subject of slavery in the Territories, "*with a view*" to "*countenancing*" what Congress could not then directly accomplish—the abolition of the slave-trade. If Mr. Madison were now in this Hall, and should advance such a doctrine in regard to the abolition of slavery and the slave-trade here, he would be denounced as a disturber of the peace, a "desperate fanatic," and an enemy of the Union. What "a change has come o'er the spirit of" this nation since the Congress of eighty-nine!

While considering the subject of Congressional action in cases in which it may indirectly exert an unfavorable influence upon slavery, the abolition, by Congress, of slavery in the Northwestern Territory, to which I have already adverted, cannot escape attention. The ordinance of 1787 decreeing that abolition, was expressly ratified by the first Congress under *the present Constitution*. But who can read that ordinance, and especially the preamble to the "six articles" embodied in it—to which I shall hereafter more particularly refer—without perceiving the immense anti-slavery influence it was calculated to exert? But the truth was, the country was not *then* afraid of that influence; for it was, as I shall presently show, in full accordance with the strong anti-slavery feeling of those times.

In attempting to maintain the right of the North to exert, by all constitutional means, and to the full extent of constitutional authority, an anti-slavery influence on the South, I have drawn an argument from *the Union itself*, and the fraternal relation which that Union created. But, sir, while I thus reason from the Union and its fraternal relations, in favor of the right of acting on Southern sentiment, in regard to slavery, I desire to declare most emphatically the deep sense I entertain of the *peculiar* obligation which this relation imposes upon the North to act in this matter in the spirit of *fraternal kindness and good-will*. This obligation would exist without the Union, for it is universal; much more does it exist with the Union. We do not address ourselves to strangers and foreigners, but to our *fellow citizens*—our *brethren*—to whom we are bound by a thousand endearing ties and patriotic recollections. If we claim to address them on the ground that we are their brethren, then are we solemnly bound to do it in the spirit of brotherly kindness and charity. In that spirit, if I know myself, I now speak; in that spirit I have ever spoken; and in that spirit I desire to assure the South I shall always speak, here and elsewhere, on this subject.

IMPLIED PLEDGE OF THE SOUTH TO THE NORTH.

I have thus endeavored to show that Congress has power to abolish slavery and the slave-trade in this District, and to meet the objections to the exercise of that power, drawn from a supposed implied pledge to Virginia and Maryland in accepting the cessions, and an implied pledge to the whole South, in the act of coming into the Union.

Thus far, however, I have occupied a *defensive* position, endeavoring, as well as I was able, to vindicate; from the charge of violating pledges and disregarding compromises, those who have asked Congress to abolish slavery and the slave-trade here; and who have exercised what they believe to be their just freedom of speech and of the press, for the purpose of convincing the Southern States of the duty of abolishing slavery within their limits.

But, sir, I am not disposed to act merely on the *defensive*. I intend to show that, while the South charges the North with a violation of implied pledges in regard to slavery, she has herself violated her own clearly implied pledges on this very subject.

Whoever will look into the history of the period when the Constitution was formed, will find that it was then the universal expectation—an expectation excited by the slave States themselves, especially by Virginia and Maryland—that slavery would, at no distant day, be abolished by their own legislation. Abolition, as I have already intimated, and will now show, was emphatically the spirit of those times. Slavery was regarded as a doomed institution—as destined to be "of few days," and declared to be "full of evil." It was considered and treated as a dangerous intruder, that was to be allowed, from necessity, to hold, temporarily, as a tenant at sufferance, but by no means to be permitted to enjoy a *fee simple* in this soil of freedom. This feeling pervaded the country; it pervaded the Convention that formed the Constitution, and must necessarily have formed an essential element in the compromises which led to its adoption.

Anti-slavery was the prevalent feeling of the Revolution. With its first breath this nation drew in an abhorrence of slavery in every form. The colonial policy of the mother country, by which it had been introduced, was the subject of almost universal execration. It was *then* held to be "*self-evident*" that all men were "created equal, and endowed *by their Creator* with the inalienable rights of life, *liberty*, and the pursuit of happiness." *This great truth*—not *slavery*—was regarded as "the corner-stone of our republican edifice."

Nor was it held to be exclusively applicable to the Anglo-Saxon race; but the descendants of Africa were to enjoy its benefits and blessings. Accordingly we find the work of African emancipation early commencing under its influence. Vermont *took the lead* by declaring in her Constitution in 1777 that there should be no slavery within her limits. Massachusetts and Pennsylvania followed in 1780, and New Hampshire, Connecticut, and Rhode Island in 1784. The motives and spirit of these great movements are well set forth in the preamble to the abolition act of Pennsylvania; a part of which I beg permission to read.

Having recounted the dangers and deliverances of the Revolution, and expressed "a grateful sense of the manifold blessings undeservedly received from the hand of that Being from whom cometh every good and perfect gift," the preamble says:

"Impressed with these ideas, we conceive that it is our duty, and we rejoice that it is in our power, to extend a portion of that freedom to others which has been extended to us. * * * We esteem it a peculiar blessing that we are this day enabled to add one more step to universal civilization by removing as much as possible the sorrows of those who have lived in undeserved bondage. Weaned by a long course of experience from those narrow prejudices we had imbibed, we find our hearts enlarged with kindness and benevolence toward men of all conditions and nations; and we conceive ourselves, at this particular period, extraordinarily called upon, by the blessings we have received, to manifest the sincerity of our professions, and to give a substantial proof of our gratitude."

"And whereas the condition of those persons who have been heretofore denominated negro and mulatto slaves has been attended with circumstances which not only deprived them of the common blessings they were, by Nature, entitled to, but has cast them into the deepest afflictions by an unnatural separation and sale of husband and wife from each other, and their children—an injury, the greatness of which can only be conceived by supposing that we were in the same unhappy case. In justice, therefore, to persons so unhappily circumstanced, and who, having no prospect before them wherein they may rest their sorrows and their hopes, have no reasonable inducement to render the service to society which they otherwise might; and, also, in grateful commemoration of our own happy deliverance from that state of unconditional submission to which we were doomed by the tyranny of Britain: Be it enacted, that no child hereafter born shall be a slave," &c.

Here, Mr. Speaker, is exhibited *the spirit of those times*. Let this precious preamble be borne in mind as we proceed.

In accordance with the spirit which dictated the emancipations of Pennsylvania and other States, was the ordinance of 1787, to which I have referred. Let me call your attention to the preamble to the six articles in that ordinance, the last of which abolished slavery in the Northwestern Territory. It declares, among other things, that, "for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected, to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said Territory, * * * it is hereby ordained," &c.

Such was the preamble to that act abolishing slavery. *Then* abolition was regarded as extending "the fundamental principles" which lay at the basis of our republican institutions. *Now*, slavery is held to be "the corner-stone of our republican edifice"!

Still further to exhibit the spirit of those times, let me refer to the declarations of some of the leading statesmen of that day.

In 1773, Patrick Henry, in a letter to Robert Pleasants, afterwards President of the Virginia Abolition Society, said:

"Is it not amazing that, at a time when the rights of humanity are defined and understood with precision, in a country above all others fond of liberty, we find men professing a religion the most humane, mild, gentle, and generous, adopting a principle as repugnant to humanity as it is inconsistent with the Bible, and destructive to liberty? Every thinking, honest man rejects it in speculation; how few in practice, from conscientious motives! * * I believe *a time will come* when an opportunity will be offered *to abolish this lamentable evil*. Every thing we can do is to improve it, if it happen in our day; if not, let us transmit to our descendants, together with our slaves, a pity for their unhappy lot, and our *abhorrence of slavery*. * * * Believe me, I shall honor the Quakers for their noble efforts to abolish slavery. It is a debt we owe to the purity of our religion to show that it is at variance with that law that warrants slavery. *I exhort you to persevere in so worthy a resolution.*"

In 1776, Dr. Hopkins, then at the head of the New England divines, in "An address to the owners of negro slaves in the American Colonies," says:

"The conviction of the unjustifiableness of this practice (slavery) has been *increasing* and *greatly, spreading of late;* and *many* who have had slaves have found themselves so unable to justify their own conduct in holding them in bondage, as to be induced to set them at liberty. * * * Slavery is, *in every instance,* wrong, unrighteous, and oppressive—a very great and crying sin—*there being nothing of the kind equal to it on the face of the earth.*"

Near the close of the Revolutionary war, Mr. Jefferson, in his Notes on Virginia, said:

"I think a change already perceptible, since the origin of the present revolution. The spirit of the master is abating, that of the slave is rising from the dust, his condition mollifying, and *the way,* I hope *preparing,* under the auspices of Heaven, for a TOTAL EMANCIPATION."

In 1780, John Jay, in a letter from Spain, wrote:

"The State of New York is rarely out of my mind or heart; and I am often disposed to write much respecting its affairs. But I have so little information as to its present political objects and operations, that I am afraid to attempt it. An excellent law might be made out of the Pennsylvania one for the gradual abolition of slavery. Till America comes into this measure, her prayers to Heaven will be impious. This is a strong expression, but it is just. Were I in your Legislature I would present a bill, drawn for the purpose with great care; and I would never cease moving it till it became a law, or I ceased to be a member. *I believe God governs the world;* and I believe it to be a maxim in His, as in our court, that those who *ask* for equity ought to *do* it."

Drawing nearer to the time when the Constitution was adopted, and the "compromises" made which "guaranti'd" the perpetuity of slavery! we come to the celebrated letter of Mr. JEFFERSON to Dr. Price, of London, dated at Paris, August 7, 1785. Dr. Price had written a pamphlet on the subject of slavery, and Mr. Jefferson's letter was in reply to one from the Doctor on the subject of his pamphlet.

Mr. JEFFERSON begins by speaking of the manner in which he thinks the pamphlet—which, it seems, had been extensively circulated in America—will have been received. "Southward of the Chesapeake," he thinks, "it will find but few readers concurring with it in sentiment." From the mouth to the head of the Chesapeake it would be received more favorably—"the bulk of the people approving it in theory"—slaveholding keeping "the consciences of many uneasy;" while northward of the Chesapeake the opponents of its doctrines would be about as rare as "robbers and murderers." He then proceeds to say:

"In Maryland I do not find such a disposition to begin the redress of this enormity as in Virginia. This is the next State to which we may turn our eyes for the interesting spectacle of justice in conflict with avarice and oppression; a conflict, wherein the sacred side is gaining daily recruits from the influx into office of young men grown and growing up. These have sucked in the principles of liberty as it were with their mother's milk, and it is to them I look with anxiety to turn the fate of this question. He not, therefore, discouraged. What you have written will do a great deal of good; and, *could you still trouble yourself with our welfare,* no man is more able to give aid to the laboring side." [Mr. Jefferson was not afraid of foreign interference. He looked at the question of slavery as belonging to no country exclusively, but affecting the common humanity.] "The College of William and Mary, in Williamsburg, since the remodelling of its plan, is the place where are collected together all the young men of Virginia under preparation for public life. They are there under the direction, most of them, of a Mr. Wythe, one of the most virtuous of characters, and whose sentiments on the subject of slavery are unequivocal. I am satisfied, if you could resolve to address an exhortation to those young men with all the eloquence of which you are master, that its influence on the future decision of this important question would be great, perhaps decisive." [What a request! A *Virginian* asking an *abolitionist* to address a letter on the subject of slavery to the young men of that State, preparing for public life! And they, too, members of a college! *Now* the subject must not be agitated in colleges, even in New England, and Dr. Price's pamphlets and letters to the young men of Virginia would be seized in the post offices and burnt.]

"Thus you see," continues Mr. JEFFERSON, "that, so far from thinking you have cause to repent of what you have done, I wish you to do more, and wish it on the assurance of its effect. The information I have received from America of the reception of your pamphlet in the different States agrees with the expectation I had formed. THOS. JEFFERSON."

Proceeding in the order of time, I come to the declarations of WASHINGTON. In writing to Robert Morris on the 12th of April, 1786, Gen. WASHINGTON said:

"There is not a man living who wishes more sincerely than I do to see a plan adopted for the abolition of slavery; but there is only one proper and effectual mode by which it can be accomplished, and that is, by legislative authority, and this, as far as my suffrage will go, shall never be wanting."

On the 10th of May, 1786, he thus wrote to Lafayette:

"It [abolition] certainly might and ought to be effected, and that, too, by legislative authority."

In a letter to John Fenton Mercer, of September 9, 1786, he said:

"It is among my *first* wishes to see some plan adopted by which slavery in this country may be *abolished by law.*"

To John Sinclair he wrote:

"There are in Pennsylvania laws for the gradual abolition of slavery which neither Maryland nor Virginia have at present, but which nothing is more certain than that they must have, and *at a period* NOT REMOTE."

These strong expressions of sentiment by Gen. WASHINGTON, it should be observed, were uttered only a year before the session of the Convention, himself at its head, which formed the Constitution that "*guaranties*" the perpetuity of slavery! But let us come a little nearer to the adoption of the Constitution.

In an address by the Hon. JAMES CAMPBELL, before the Pennsylvania Society of Cincinnati, on the 4th of July, 1787, he said:

"Our separation from Great Britain has extended the EMPIRE OF HUMANITY. The time is *not far distant* when our sister States, in imitation of our example, *shall turn their vassals into freemen.*"

The Convention that formed the Constitution—whose "compromises" have imposed *perpetual silence* on the subject of slavery!—was then in session at Philadelphia, and attended on the delivery of this address, with Gen. WASHINGTON at their head.

The Convention agreed to the Constitution, and submitted it to the People of the States on the 17th of September, 1787. For further evidence of the public sentiment at that time, let me now refer to the debates in some of the State Conventions to which it was submitted for ratification.

In the debates in the North Carolina Convention, Mr. IREDELL, afterwards a Judge of the Supreme Court of the United States, said:

"*When the entire abolition of slavery takes place*, it will be an event which must be pleasing to every generous mind, and every friend of human nature."

Mr. GALLOWAY said:

"I wish to see this abominable trade put an end to. I apprehend the clause (touching the slave-trade) *means to bring forward manumission.*"

LUTHER MARTIN, of Maryland, a member of the Convention that formed the Constitution of the United States, said:

"We ought to authorize the General Government to make such regulations as shall be thought most advantageous for *the gradual abolition of slavery* and *the emancipation of the slaves* which are already in the States."

Judge WILSON, of Pennsylvania, one of the Convention that framed the Constitution, said, in the Pennsylvania Convention that ratified it:

"I consider this clause (that relating to the slave-trade) as laying the foundation *for banishing slavery out of this country.* It will produce the same kind of gradual change which was produced in Pennsylvania. The new States which are to be formed will be under the control of Congress in this particular, and *slaves will never be introduced* among them. It presents us with the pleasing prospect that the rights of mankind will be acknowledged and established *throughout the Union.*"

In the Virginia Convention of 1787, Mr. MASON, author of the Virginia Constitution, said:

"The augmentation of slaves *weakens the States;* and such a trade is diabolical in itself, and disgraceful to mankind. * * * As much as I value the Union of all the States, I would not admit the Southern States (South Carolina and Georgia) into the Union, unless they agree to the discontinuance of this disgraceful trade, because it would *bring weakness* and not strength to the Union."

Mr. JOHNSON said:

"The principle (of emancipation) has begun since the Revolution. Let us do what we will, it *will* come round. Slavery has been the foundation of that impiety and dissipation which have been so much disseminated among our countrymen. If it were *totally annihilated*, it would do much good."

PATRICK HENRY contended that, by the Constitution, Congress would have power to abolish slavery *as indispensably necessary to the safety of the country*, whose "general defence" was committed to its care. In addition to this argument, he said: "Another thing will contribute to bring this event about—*slavery is detested.* We feel its fatal effects. We deplore it with the pity of humanity."

In the Massachusetts Convention of 1788, General HEATH said that—

"Slavery was confined to *the States now existing. It could not be extended.* By their ordinance Congress had declared that the new States should be republican States, and *have no slavery.*"

Judge DAWES said:

"Although slavery is not smitten by an apoplexy, *yet it has received a mortal wound*, and *will die* of consumption."

Such are some of the expressions of opinion in the Conventions that adopted the Constitution, in regard to slavery, and its probable speedy abolition. The expressions in regard to the latter may be all summed up in the brief and significant language of Judge DAWES—slavery "has received a MORTAL WOUND, and WILL DIE OF CONSUMPTION." This, indeed, was the *public opinion* of that day; and yet we are now told that the Constitution, which drew its first breath in the atmosphere of *that* public opinion, contained an implied guaranty, or had connected with it such compromises as implied a guaranty, for the *security of slavery*, even at the expense of a sacrifice of the rights of speech, and the press, and petition! Every body understood that slavery was *mortally wounded*, and destined to *speedy death*; and yet, by a strange necromancy of constitutional implication, *there was at that very time* thrown around it the *shield of the Union* for protection against its great enemies—freedom of speech and freedom of the press!

Let me now refer to a few expressions of opinion going to show the state of public sentiment soon after the adoption of the Constitution.

In the Maryland House of Delegates in 1789, WM. PINKNEY said:

"But, sir, is it possible that this body should not feel for the reputation of Maryland? Is national honor or unworthy of consideration? Is the censure of an enlightened universe insufficient to alarm us? The character of my country among the nations of the world is as dear to me as that country itself." [Noble sentiment! But in what Maryland bosom does it now beat, in reference to *slavery* and the *slave-trade here*, for which this *nation* is responsible in "an enlightened universe?"] "What a motley appearance (continues Mr. P.) must Maryland at this moment make in the eyes of those who view her with deliberation. Is she not at once the fair temple of freedom and the abominable nursery of slaves? the school for patriots and the foster-mother of petty despots? the asserter of human rights and the patron of wanton oppression? Here have emigrants from a land of tyranny found an asylum from persecution; and here also have those who came as rightfully free as the winds of heaven found an eternal grave for the liberties of themselves and their posterity. * * * * * Sir, by *the eternal principles of natural justice*, no master in the State *has a right* to hold his slave in bondage for a single hour. * * To me, sir, nothing for which I have not the evidence of my senses is more clear than that it [slavery] will one day destroy that reverence for liberty which is the vital principle of a Republic." [Now slavery has become essential to the preservation of our liberties—the "corner-stone of our republican edifice!"] "Sir, the thing is impolitic; never will your country be productive; never will its agriculture, its commerce, or its manufactures flourish so long as they depend on reluctant bondmen for their progress."

What must have been the state of public sentiment which could in the Legislature of a *slave* State bear such an indignant, burning rebuke of slavery as this? Did Pinkney, or the body whom he addressed, believe that there was in or *about* the Constitution of the United States any "implied" prohibition of *freedom* of SPEECH on the subject of slavery?

Let me now turn, for further evidence of public sentiment, to the debates in the first Congress. On the 12th of February, 1790, a memorial was presented, signed by BENJAMIN FRANKLIN, president of the Pennsylvania abolition society, setting forth in strong language the injustice of slavery, its inconsistency with our institutions, and the duty of all to labor to effect its abolition; and asking Congress to take into consideration the traffic in slaves, and "step to the *very verge* of the power vested" in it for "discouraging every species of traffic in the persons of our fellow-men."

The reception of this petition was neither objected to, nor "considered" as objected to; but it was respectfully received and considered. In the debate that arose upon it, Mr. PARKER, of Virginia, said:

"I cannot help expressing the pleasure I feel in finding *so considerable a part* of the community attending to matters of such *momentous concern* to the *future prosperity* and happiness of THE PEOPLE OF AMERICA. I think it my duty AS A CITIZEN OF THE UNION to espouse their cause."

Mr. PAGE, of Virginia, (afterwards Governor,) said:

"He was in favor of the commitment. He hoped that the designs of the respectable memorialists would not be stopped at the threshold, in order to preclude a fair discussion of the prayer of the memorial. He placed himself in the case of a slave." [*This* is the true position: to make the slave's case *our own*—to "remember those in bonds *as bound with them*." When we do this, we shall go where Franklin asked the first Congress to go, to "the *very verge*" of our power, to abolish, and, where we cannot abolish, to "discourage" slavery. But to proceed with the quotation.] "He placed himself in the case of a slave, and said that, on hearing that Congress had refused to listen to the decent suggestions of the *respectable* part of the community," [now the petitioners are "despicable fanatics!"] "he should infer that the General Government, from which was expected great good would result to every class of citizens, had shut their ears against the voice of humanity."

Mr. SCOTT, of Pennsylvania, said:

"I cannot, for my part, conceive how any person can be said to *acquire a property in another*. I do not know how far I might go, if I was one of the judges of the United States, and those people were to come before me, and claim their emancipation; but I am sure I would go as far as I *could*."

Mr. BURKE, of South Carolina, said:

"He saw *the disposition of the House*, and he feared it would be referred to a committee, meagre all their opposition."

Mr. SMITH, of South Carolina, said:

"That, on entering into this Government, they (South Carolina and Georgia) apprehended that the other States * * * would, from motives of *humanity* and *benevolence*, be led to vote for a *general emancipation*."

In a debate at the previous session of Congress, (May 13, 1789,) on a proposition to impose a duty of ten dollars each on imported slaves—

Mr. PARKER, of Virginia, the mover of the proposition, said:

"He hoped Congress would do all that lay in their power to restore to human nature *its inherent privileges*, and, if possible, wipe off *the stigma* under which America labored. The inconsistency in our principles, with which we are justly charged, should be done away, that we may show by our *actions* the pure beneficence of the doctrine we hold out to the world in our *Declaration of Independence*."

Mr. JACKSON, of Georgia, said:

"*It was the fashion of the day to favor the liberty of the slaves*."

Mr. MADISON said:

"The dictates of humanity, the principles of the People, the *national safety* and happiness, and prudent policy require it of us. * * I conceive the Constitution, in this particular, was formed in

order that the Government, whilst it was restrained from laying a total prohibition, might be able to *give some testimony of the sense of America* with respect to the African trade. * * It is to be hoped that, by expressing a *national disapprobation* of this trade, we may destroy it, and save ourselves from reproaches, and our posterity *the imbecility* ever attendant on a country filled with slaves. * * If there is any one point in which it is clearly *the policy of this nation*, so far as we constitutionally can, *to vary the practice obtaining under some of the State Governments*, it is this."

Such was the strong anti-slavery feeling manifested in the first Congress. And it is worthy of remark that the question of slavery was treated as a *national* question—arguments for national interference, to the *full extent* of constitutional power, and with a view to "varying the practice under some of the State Governments," being drawn from considerations of *national* honor, *national* strength, and *national* safety.

Pursuing the order of time, let me give two additional and pointed reprobations of slavery by distinguished men of that period:

In 1794, Dr. RUSH declared:

"Domestic slavery is repugnant to the principles of Christianity. It prostrates every benevolent and just principle of action in the human heart. It is rebellion against the authority of a common Father. It is a practical denial of the extent and efficacy of the death of a common Saviour. It is a usurpation of the prerogative of the great Sovereign of the universe, who has solemnly claimed an exclusive property in the souls of men."

In 1796, Mr. TUCKER, of Virginia, Judge of the Supreme Court of that State, and professor of law in the College of William and Mary, in a letter to the General Assembly of that State, urging the abolition of slavery, said:

"Should we not, at the time of the Revolution, have broken their fetters? Is it not our duty *to embrace the first moment* of constitutional health and vigor to effectuate so desirable an object, and to remove from us a stigma with which our enemies will neverfail to upbraid us, nor our consciences to reproach us?"

I come now, Mr. Speaker, to another, and, in some respects, much stronger evidence of the prevalence of anti-slavery sentiments at the period to which I have referred. I do not allude to expressions of individual opinion, but to *associated* opinion and associated *effort* in favor of the abolition of slavery. Yes, sir, so strongly was the public mind moved on the subject of "abolition," that abolition societies were actually formed in Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia. The Pennsylvania Society was formed in 1780, and incorporated by act of the Legislature in 1787—BENJAMIN FRANKLIN, President; Dr. RUSH, Secretary. The New York Society was formed in 1785—JOHN JAY, President, afterwards ALEXANDER HAMILTON. The Maryland Society was formed in 1789. Among its officers were Judge CHASE and LUTHER MARTIN. In 1790 the Connecticut Society was formed—Dr. STILES, President, and SIMEON BALDWIN (late Judge Baldwin) Secretary. In the same year the Virginia Society was formed—ROBERT PLEASANTS, President; and also the New Jersey Society, which had an acting committee of five members in each county in the State. In reference to these Societies, I find in the "Anti-Slavery Examiner," which I hold in my hand, the following:

"Among the distinguished individuals who were efficient officers of these abolition societies, and delegates from their respective State Societies at the annual meeting of the American Convention for promoting the abolition of slavery, were Hon. URIAH TRACY, U. S. Senator from Connecticut; Hon. ZEPHANIA SWIFT, Chief Justice of the same State; Hon. CESAR A. RODNEY, Attorney General of the United States; Hon. JAMES A. BAYARD, U. S. Senator from Delaware; Gov. BLOOMFIELD, of New Jersey; Hon. WM. RAWLE, the late venerable head of the Philadelphia Bar; Messrs. FOSTER and TILLINGHAST, of Rhode Island; Messrs. RIDGELY, BUCHANAN, and WILKINSON, of Maryland; and Messrs. PLEASANTS, McLEAN, and ANTHONY, of Virginia."

For the purpose of showing the principles and objects of these societies, let me refer briefly to the constitutions of two of them, and the memorials to Congress of two others.

The following is the preamble to the Constitution of the Pennsylvania Society:

"It having pleased the Creator of the world to make of one flesh all the children of men, it becomes them *to consult and promote each other's happiness as members of the same family*, however diversified they may be by color, situation, religion, or different states of society. It is more especially the duty of those persons who profess to maintain for themselves the rights of human nature, and who acknowledge the obligations of Christianity, to use such means as are in their power *to extend the blessings of freedom to every part of the human race*, and in a more particular manner to such of their fellow-creatures as are entitled to freedom by the laws and constitutions of any of the United States, and who, notwithstanding, are detained in bondage by fraud or violence. From a full conviction of the truth and obligation of these principles—from a desire to *diffuse them wherever* the miseries and vices of slavery exist, and in humble confidence of the favor and support of the Father of mankind, the subscribers have associated themselves under the title of the 'Pennsylvania Society for Promoting the Abolition of Slavery and the Relief of Free Negroes unlawfully held in Bond &c.'"

The following is part of the preamble to the Constitution of the New Jersey Society:

"It is our boast that we live under a Government wherein life, liberty, and the pursuit of happiness, are recognised as the universal rights of men. We *abhor* that *inconsistent, illiberal*, and *interested* policy which withholds those rights from an unfortunate and degraded class of our fellow-creatures."

The Connecticut and Virginia Societies sent memorials to Congress. The following is an extract from the former:

"From a sober conviction of the unrighteousness of slavery, your petitioners have long beheld with grief our fellow-men doomed to perpetual bondage in a country which boasts of her freedom. Your petitioners were led by motives, we conceive, of *general philanthropy* [now it is "fanaticism"] to associate ourselves together for the protection and assistance of this unfortunate part of our fellow-men."

The memorial of the Virginia Society is headed, "The memorial of the Virginia Society *for promoting the abolition of slavery.*" The following is an extract:

"Your memorialists fully believing that slavery is not only an odious degradation, but *an outrageous violation of one of the most essential rights of human nature, and utterly repugnant to the precepts of the Gospel,*" &c.

It would seem to be an appropriate closing of this mass of testimony to read, as I will now beg permission to do, an extract from a sermon of *President Edwards*, the younger, preached before the Connecticut Abolition Society, September 15, 1791.

"Thirty years ago (said he) scarcely a man in this country thought either the slave-trade or the slavery of negroes to be wrong; but now, how many and able advocates, in private life, in our Legislatures, and in Congress, have appeared, and openly and forcibly pleaded the rights of humanity, in this as well as other instances? And if we judge of the future by the past, *within fifty years from this time* [the fifty years are about expiring!] it will be as shameful for a man to hold a negro slave as to be guilty of common robbery or theft."

Upon the testimony thus presented, I cannot, Mr. Speaker, find time for an extended commentary. Nor do I deem it necessary. It seems to me impossible that it should have failed to convince all who have heard it, that, so far from there having been an implied pledge on the part of the free States that the subject of slavery should not be agitated, there arose necessarily, from the common sentiment of that period in regard to slavery, from the *perfect freedom with which it was every where assailed*, and from the general expectation of its speedy abolition, an implied pledge on the part of the slave States that no obstacles should be interposed to the freest action of public sentiment in regard to it; but that they would, in fact, continue to co-operate, as they were then co-operating, with the *philanthropists of the North*, in producing a public sentiment that should, "at no distant day," put an end to the evil.

VIOLATION OF IMPLIED PLEDGE OF THE SOUTH TO THE NORTH.

And now, Mr. Speaker, let me look a little at the manner in which the pledge of the South to the North has been redeemed; or rather, I ought to say, at the extent of its violation. If you will accompany me in a brief examination, I will show you how slavery has increased its numbers—acquired new territory—enlarged its power—claimed exemption from all opposition—and trampled down the dearest rights of freedom, in its march to uncontrolled dominion.

In 1790 the slave population amounted to	697,897
Now mark its increase	
In 1800 it was	893,041
In 1810 it was	1,191,364
In 1820 it was	1,538,064
In 1830 it was	2,009,031
In 1840, probable number,	2,700,000

Slavery was to be abolished "at no distant day!" and yet it has increased to *two million seven hundred thousand!* And in that very State from which Washington, Jefferson, Madison, Henry, and others predicted, and prayed for, its speedy extirpation, are slaves now actually raised for exportation.

[Mr. GARLAND, of Virginia, here interposed, and denied the truth of the assertion. Mr. S. perceiving that the remark had excited some sensibility, and desiring to avoid seeming to cast reproach upon Virginia, passed it over by remarking that the District of Columbia was notoriously a market for the surplus slaves in the neighboring counties of Virginia and Maryland, and that slaves thus purchased were annually shipped in large numbers to Southern markets. On the day following, Mr. GARLAND, in his reply to Mr. S., having spoken of his allusion to slave-breeding in Virginia as "the repetition of a base slander of that prince of demagogues, Daniel O'Connell," Mr. S. asked permission to read, in proof of his assertion, the following account of the declarations of distinguished Virginians which he found in "Jay's View of the action of the Federal Government in behalf of Slavery:"

"In the Legislature of this State, in 1832, THOMAS JEFFERSON RANDOLPH declared that Virginia had been converted into '*one grand menagerie, where men are reared for the market like oxen for the shambles.*' This same gentleman thus compared the foreign with the domestic traffic. 'The trader (African) receives the slaves, a stranger in aspect, language, and manner, from the merchant who brought him from the interior. But *here*, sir, individuals whom the master has known from infancy—whom he has seen sporting in the innocent gambols of childhood—who have been accustomed to look to him for protection, he tears from the mother's arms, and sells into a strange country—among a strange people—subject to cruel taskmasters. In my opinion, it is much worse.'

"Mr. GHOLSON, of Virginia, in his speech in the Legislature of that State, January 18, 1831, (see Rishmond Whig,) says: 'The legal maxim of *partus sequitur ventrem* is coeval with the existence of the rights of property itself, and is founded in wisdom and justice. It is only on the justice and inviolability

of this maxim, that the master foregoes the service of the female slave, has her nursed and attended during the period of her gestation, and raises the helpless and infant offspring. The value of the property justifies the expense; and I do not hesitate to say that *in its increase consists much of our wealth.*'

"PROFESSOR DEW, now President of the College of William and Mary, Virginia, in his review of the debate in the Virginia Legislature in 1831-32, speaking of the revenue arising from the trade, says: 'A full equivalent being thus left in the place of the slave, this emigration becomes an advantage to the State, and does not check the black population as much as at first view we might imagine, because it furnishes every inducement to the master to attend to the negroes, to *encourage breeding*, and to *cause the greatest number possible to be raised.*' Virginia is, in fact, *a negro-raising State for other States.*'

"MR. C. F. MERCER asserted in the Virginia Convention of 1829: 'The tables of the natural growth of the slave population demonstrate, when compared with the increase of its numbers in the Commonwealth for twenty years past, that an annual revenue of not less than *a million and a half of dollars* is derived from the *exportation* of a part of this population.' "]

Mr. SLADE proceeded. With the increase of slaves from 697,897 to near two millions and three quarters, have the number of the slave States increased from *six to thirteen*; three of the new slave States being formed from territory purchased with the common treasure of the nation; so that the North has actually paid her money to purchase *new* fields to be moistened with the sweat and blood of slavery, instead of having the promised aid of the South in getting rid of the national evil!

The number of Representatives, on account of the slave population, has increased to *twenty-five*; and will probably rise to *thirty* after the next census. Let me show you, Mr. Speaker, the strange results of this principle of "slave representation" on this floor.

The slave States, with a free population of 3,823,000, have *one hundred* Representatives; while the free States, with a population of 7,003,000, have but *one hundred and forty-two*. Look at this in some of its details.

Virginia, with a population of 741,000, has *twenty-one* Representatives, while Ohio, with a population of 947,000, has but *nineteen*. The free State, with a free population of 206,000 *more*, has a representation of two *less*.

Pennsylvania, with a population of 1,347,800, has *twenty-eight* Representatives, while South Carolina, Georgia, Alabama, Mississippi, and Louisiana, with a population of 912,000, being 435,800 *less* than Pennsylvania, has the *same number!* I might pursue this comparison, but I have gone far enough to show the great disadvantage to which the free States have been subjected by yielding to the South a slave representation, for which they obtained, in the compromise, no substantial equivalent, as I will now show.

The Constitution provides that "*representatives* and *direct taxes* shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons * * * *three-fifths of all other persons*," that is, three-fifths of the slaves. This extra burden of taxation on account of slaves was regarded as some compensation to the North for the extra advantage to the South of a slave representation. Now, sir, let us see how this consideration for the concession has failed.

By a letter of the 25th of January, 1838, in reply to a call for information from the Register of the Treasury, it appears that the whole of the receipts into the Treasury of the United States, from the 4th of March, 1789, to the 31st of December, 1836, had been:

From Customs	$682,957,784 47
Internal revenue	22,253,045 38
Postage	1,092,227 52
Direct taxes	12,742,294 64
	$719,045,352 01
The receipts for the last three years have been	96,731,262 48
	$815,776,614 49

It thus appears that of more than *eight hundred and fifteen millions* of receipts, about *twelve millions and three-quarters* only have been from direct taxation, and, even of *this*, the North has, of course, paid her proportion. Such is the practical equivalent which has been received for a concession which has enabled the South, by a representation of slave property, to control the destinies of the country for fifty years—a concession which no one now believes would have been made, but for the assurance which I have shown was felt, an assurance encouraged by the slave States themselves, that slavery should, "at no distant day," be abolished throughout the country.

But while the rendering of the constitutional equivalent for the slave representation has thus been avoided when money was to be *paid*, we find the compromise fully carried out when money is to be *received*. Thus the *ratio of representation*, including the representation in the Senate, was made the basis of the distribution of the surplus revenue by the act of 1836, giving, of course, a disproportionate amount to the slave States. Thus the thirteen *free* States, with a population of 7,003,000, received $21,410,777 12; while the thirteen *slave* States, with a free population of 3,823,000, received $16,059,082 85! So that there was received for each free inhabitant of the *slave* States $4 20; while for each inhabitant of the *free* States there was received but $3 06!

While considering the subject of the concession to the South of a slave representation, one cannot help inquiring what—since so much is said of *implied* compromises—were the *real* compromises of the Constitution in connexion with the subject of slavery? What did each party *actually* concede to the other?

There was conceded to the South the stipulation to deliver up fugitive slaves—protection against *domestic violence*—a continuance of the slave-trade twenty years—and the three-fifths representation of slave property. Surely these are large concessions to be made in favor of *slavery!* And what concession was made to the North in return? None! except the stipulation just referred to, in regard to direct taxation; which has, as I have shown, amounted to nothing.

Does not this glaring inequality of concession give irresistible force to the argument which I have drawn from the history of those times, to show that it was the general expectation that slavery would be soon abolished? Is it possible to believe that such concessions would have been made in favor of *slavery* (concessions to *wrong*, not to *right*) if any body had suspected that it was not to be abolished, but to be cherished, increased, and made permanent? Did any body dream that the concession of a "three-fifths" representation would, within fifty years, bring into Congress thirty Representatives—a representation of two million seven hundred thousand slaves? But, more than all—could it have been thought of, or, if thought of, could the idea have been endured for a moment—that *that* concession was to be used as *an engine of political power?* that the destinies of the country were actually to be controlled by the representation which slavery should bring into this Hall, and the votes it should give in the elections of the Chief Magistrates of the country?

Sir, Speaker, the history of slavery in this country for the last thirty years has been a history of *encroachment* without a parallel; encroachment involving as gross a violation of implied pledges as can well be conceived. Let facts speak on this subject; and, that they may speak in the best manner and to the best effect, let me read to the House an extract from a speech delivered in the Senate of the United States, some two years ago, by Governor Davis, of Massachusetts, whose sound, practical sense, for which he is so much and so deservedly distinguished, seized upon the strong points in this matter of Southern encroachment, and presented them in the following language:

"This interest (slavery) has ruled the destinies of the republic. For *forty* out of *forty-eight* years it has given us a President from its own territory, and of its own selection. During all this time it has not only had a President sustaining its own peculiar views of public policy, but, through him, has held and used in its own way the whole organization of all the Departments, and all the vast and controlling patronage incident to that office, to aid it in carrying on its views and policy, as well as to protect and secure to it every advantage.

"Let us explore a little further, and see how the two Houses of Congress have been organized. For *thirty* years out of *thirty-six* that interest has placed its own Speaker in the chair of the other House, thus acquiring the organization of committees, and the great influence of that station. And, sir, while all other interests have, during part of the time, had the chair (Vice Presidency) in which you preside assigned to them, as an *equivalent* for these great concessions, yet, in each year, when a President pro tem. is elected, who, upon the contingencies mentioned in the Constitution, will be the President of the United States, *that* interest has *invariably* given us that officer. Look, I beseech you, through all the places of honor, of profit, and privilege; and there you will find the representatives of *this interest* in numbers that indicate its influence. Does not, then, *this interest* rule, guide, and adapt public policy to its own views, and fit it to suit the action and products of its own labor?"

In connexion with the view thus presented by Governor Davis, let me refer to the *progress* of the influence of slavery in the elections of the presiding officers of this House. The termination of the present Congress will complete fifty-two years from the organization of the Government. During the first *twelve* years the Speakers were from Pennsylvania, Connecticut, New Jersey, and Massachusetts; during the next *six* years from North Carolina; the next *four* years from Massachusetts; the next *nine* years from Kentucky and South Carolina; the next *year* from New York; the next *four* years from Virginia and Kentucky; the next *two* years from New York; and the last *fourteen* years from Virginia and Tennessee.

Dividing the whole term, as near as may be, into three equal periods, it appears that, for the first seventeen years, the chair was filled *twelve* years from the North, and *five* years from the South; for the next seventeen years *five* from the North, and *twelve* from the South; and for the last eighteen years *two* from the North, and *sixteen* from the South!

Such a result as this needs no comment. It speaks for itself, and speaks a language not to be misunderstood.

For further evidence of the power of slavery and its disposition to encroachment, I might, if I had time, refer to numerous important questions which have been decided in Congress, in which the power of the three-fifths representation has had a controlling effect. I might also speak of the existing relations between the State of Georgia and Maine, and Virginia and New York, growing out of the extraordinary claims of Georgia and Virginia in connexion with slavery. I might refer to the frequent threats of violence—to the scenes of Lynching—to the violation of the mails—and to the violation of the Constitution, in denying to the free colored *citizens* of the North the privileges of citizens in the Southern States of this Union. But time would fail me.

Upon this latter topic, however, I cannot refrain from dwelling, for a moment, for the purpose of calling the attention of the House to the effect which has been given, at the South, to the laws prohibiting the emigration within their borders, and even a *sojourn* among them, of free

colored citizens of other States. I allude to the execution of these laws upon the citizens of a foreign country, forced by the dangers of the sea into a Southern port of this Union. I have in my hand the following from a Jamaica paper, (the Despatch,) published in the year 1838, which I beg permission to read:

"We have been politely favored with a Haytien paper, L'Union de Port-au-Prince, of the 19th ult. by which it would appear that that Republic is highly indignant at the treatment experienced by the crew of a Haytien vessel, which was forced, by stress of weather, to enter one of the United States, (Charleston.) L'Union, after detailing the circumstances that obliged the vessel in question, L'Artibonite, to put into Charleston, remarks: 'So soon as she arrived there, the whole of the crew (captain allowed to remain) were seized and thrown into prison, where every assistance or comfort was denied to our unfortunate mariners, whose incarceration lasted the whole time that the vessel was being repaired. This is an outrage against the Haytien nation. The day may yet come when it will be in our power to cause the name of Haytiens to be respected abroad, and, particularly so by our arrogant neighbors. Until that period arrives, however, we have in our hands the means of retaliation. Already, if we judge rightly, a spirit of deep aversion to the Americans manifests itself, and seems to pervade all classes of our citizens; and so indignant do we feel at their conduct towards our countrymen, that we are almost inclined to denounce and hold them up to the hatred of the nation.'"

Now, Mr. Speaker, what but a *want of power* on the part of the Haytien Government has prevented a demand upon this Government for redress for this outrage on the rights of Haytien citizens? There is, it is true, no danger of a war with Hayti. Her *weakness* is our protection! But may not our extensive and profitable commerce with that nation be made to suffer from such outrages on the rights of its citizens? And, shall it be still asked, What has *this nation* to do with slavery?

There is one fact, placing in a very strong light the tenaciousness of the slave power, and its disregard of the implied pledge to which I have referred, which I cannot omit to notice; and to which I ask the special attention of the House. It is the claim that no free State shall be admitted into this Union without the simultaneous admission of a slave State.* It is even urged as an argument for the division of Florida, and its admission into the Union as two States, that it *must* be done in order to balance with two new *slave* States the two new *free* States—soon to be admitted—of Wiskonsin and Iowa. To give plausibility to this demand of slavery, it is asserted in an article in a late Virginia paper, (*transferred to the Globe*) that—

"From the time that new States began to be admitted in addition to the '*Old Thirteen*,' from that time it has been the fixed policy of the Union to admit a slave State and a free State at the same time. Thus Kentucky and Vermont came in together. Ohio and Tennessee followed; Alabama and Illinois, Louisiana and Indiana, Missouri and Maine Arkansas and Michigan. Thus the Union kept its parts even, and, to do so, twice have the New England States divided their small States and made them less. Vermont and Maine were both divided from other States to make new ones to balance, in the Senate at least, the new large slaveholding States."

Aware of the startling character of *such* a claim in favor of *slavery*, the writer of the article says, "it has been the *fixed policy* of the Union to admit a slave and a free State at the same time." This I deny. The States mentioned by him as having come into the Union on the "balance" principle, have been admitted as follows:

Slave.		*Free.*	
Kentucky, - - -	1791	Vermont, - - -	1791
Tennessee, - - -	1796	Ohio, - - -	1802
Louisiana, - - -	1812	Indiana, - - -	1816
Alabama, - - -	1819	Illinois, - - -	1818
Missouri, - - -	1821	Maine, - - -	1820
Arkansas, - - -	1836	Michigan, - - -	1836

Now, in the first place, this writer has *omitted Mississippi* (admitted in 1817) from his account current between the slaveholding and non slaveholding States. The introduction of it throws his balance sheet into confusion, besides showing the advantage which slavery has gained over freedom in the admission of new States.

But, independent of this, the list furnishes no evidence of the "fixed policy" of which he speaks. Thus, sir, all know that the political "balance" between freedom and slavery, now contended for, was entirely unthought of when Kentucky and Vermont came into the Union. The well-known state of public feeling on the subject of slavery at that period shows this conclusively. Indeed, the notion that slavery, which it was then declared had "received a *mortal wound*, and would *die of consumption*," was to *run a race* with freedom, is absolutely ridiculous.

The idea of a division of "small States of New England *to make* new ones *to balance*" is equally destitute of foundation. Maine was separated from Massachusetts proper, by the Territory of New Hampshire; and her political separation was, therefore, dictated by her natural position, as well as by other obvious considerations, having no relation to the "balance" now contended for. As for Vermont, the "Green Mountain boys," driven by the injustice of New York, declared themselves independent, and formed a State Constitution in 1777, *fourteen years* before

* Since this speech was delivered, one of the Senators from Arkansas (Mr. SEVIER) has declared, in the Senate, that he would never vote for the admission of another free State into the Union, unless there should be a new slave State to balance it.

their admission into the Union; and having maintained their independence against New York, New Hampshire, and Canada, by a combination of the most consummate skill and noble daring, they finally came into the Union in 1791.

I might go through the list and show that the controlling reasons for the admission of all the new States into the Union have had no connexion with the idea of the "balance" suggested. I know the admission of Missouri, *as* a slave State, was urged upon the ground of the admission of Maine as a free one; and if I am not mistaken, the claim now formally insisted on was then for the first time brought forward. It was, I regret to say, successful; and it has again been successful in the admission of Arkansas *as* a slave State.

I do not complain that new States at the South have been admitted into the Union—not even that *seven* have been admitted from that section, while *six* only have been admitted from the North. But I do complain that they have been admitted *as* slave States; and especially that there are among them States whose territory formed no part of the "Old Thirteen," and which have, therefore, brought into the Union an *addition* to the burden and weakness and curse, from which, at the adoption of the Constitution, it was universally expected the country would soon be delivered.

But more especially do I complain that it has come to be avowed as a *settled principle of national policy* that the *slave power* is to be maintained in its existing relative strength, by the admission of new slave States. How strongly does this contrast with the public sentiment and policy at the time of the formation of the Constitution. *Slavery*, which was then doomed, by the general judgment of the country, to speedy destruction—the subject of almost universal execration—now raises its brazen front, and claims to be regarded as an *essential element* of, and to have its relative *political power* carefully maintained in, this Union of Freedom!

But this is not all. Fearing that, in the vast territory west and north of Missouri, the indomitable spirit of Northern enterprise may raise up new States to add to the empire of freedom, and diminish the relative strength of slavery, the South turns its eyes to the wide domain and fruitful soil of Texas, and seeks to add to our country a territory which may be manufactured into half a dozen new States to maintain the balance in favor of slavery! Yes, sir; slavery has actually entered upon a system of colonizing—colonizing by conquest—colonizing from a land of freedom—colonizing, to bring under its dominion a country from whose soil, in the advancing power of free principles, it had just been banished!

Thus, as slavery sinks in other countries, it rises in this. As its limits are contracted elsewhere, they are enlarged here. At the moment that its iron sceptre is broken in the British West Indies, are American statesmen devising means to strengthen and enlarge its dominion in the land yet reddened with blood poured out to assert and maintain that "all men are created equal!"

Where is to terminate this progress of the slave power? Where shall its southward movements cease, until, to keep pace with the westward march of freedom to the shores of the Pacific, it shall darken and desolate the fields of Mexico and Guatemala, and find the limit of the same ocean at the Isthmus of Darien?

But, Mr. Speaker, slavery is not content with a multiplication of its victims or an extension of its territorial dominions. It sees the gathering storm, and prepares to avert it. It understands the power of free discussion, and seeks to suppress its outbreakings. For this purpose it penetrates the free States—it surrounds peaceable assemblies with mobs—it destroys printing presses—it kills or follows with persecution their conductors—it even enters the city of PENN, the city where yet stands the "Hall of Independence," and applies the torch to a noble edifice dedicated to free discussion. And, sir, it has finally come into the Halls of Congress, and assailed Liberty in these her most sacred temple, by striking down the cherished and solemnly guarantied right of petition, and imposing silence upon the Representatives of freemen here.

But this is not all. Slavery has found its way into the Executive Department of this Government, introducing, and giving efficacy, through that Department, to a new element of power unknown to the Constitution, namely, "the *wishes* of the slaveholding States;" insomuch that the President, while admitting that Congress has constitutional power to abolish slavery and the slave-trade in this District, declares, in advance, that he will give his official sanction to no bill for such abolition, "against the *wishes* of the slaveholding States." The "*wishes*," be it observed—not the *arguments*—of the slaveholding States are to govern the Executive action! With arguments he has nothing to do. He throws from himself all responsibility of judging, and makes the simple fact of the "*wishes*" of a *minority* of the People decisive. No other interest has ever advanced such a claim. In all the struggles about a protective tariff, the manufacturing State have set up no such pretensions; and if they had, they would have found no President willing to give such effect to their "*wishes*." Thus, slavery asks and obtains what would be yielded to no other interest in the country.

But slavery is not content with all this. When the People of the North, in the strength of their feeling for their brethren in slavery, and under a sense of the *national* responsibility for its continuance, with the abominations of the slave-trade, in this District, send their petitions here for its abolition, Slavery rises up, in the persons of honorable members on this floor, and threatens to *dissolve the Union!* Yes, sir, slavery, that very slavery that, fifty years ago, was declared to have the consumption, and to be struck with death, has "got well," grown fat and lusty, talks of living forever, and absolutely threatens a dissolution of the Union if he is not "let alone," and permitted to go on unimpeded in his march to complete dominion! Who can find words to express the amazement which this is calculated to excite?

Thus it is, Mr. Speaker, that slavery has, ever since this Union was formed, been gradually augmenting its power; moving on, especially during the latter part of the half century of our national existence, with giant strides in the march of encroachment, constantly grasping power, and constantly asking for more, never saying enough, but always *crying, give! give! give!*

And now, Mr. Speaker, let me entreat gentlemen to review the subject in the light which I have endeavored to throw upon it, and tell me if it is not the height of injustice to charge the petitioners and the agitators of the subject of slavery, at the North, with a violation of implied pledges in favor of slavery, when it is manifest beyond the power of contradiction that the South has violated, and is, at this moment, flagrantly violating its own most clearly implied pledges of a contrary character.

Sir, as I have already intimated, the North, so far from encroaching on the rights of the South in this matter, are but resisting the encroachments of the slave power. They are standing on the very confines of the Constitution, battling, not merely for the rights of the slave, but for the dearest rights of freemen. And are they to yield at this point? No, sir, no; not a hair's breadth. They *cannot*, without a surrender of every thing. It is time the South should understand that the North is no longer to stand still and witness the encroachments of slavery with arms folded, eyes closed, and mouths shut; but that, while they will not transcend, by the breadth of a hair, the limits of the Constitution, they owe it to themselves—to their country—to its honor abroad—to its safety at home—to humanity—to justice—and to the world, struggling for victory over time-honored oppression—to stand firm upon the ground of *constitutional right*, and never surrender for one moment those great weapons of fair and honest warfare against slavery—freedom of speech—freedom of the press—and freedom of petition.

But I may be told that, though there might have been, at the adoption of the Constitution, no such compromise in favor of slavery as is now contended for, yet that there *should* be such a compromise *now*; that, since the South are so excitable on the subject, *it is not best* to agitate it; but to refrain for the sake of preserving the Union. Sir, I am willing to yield much for the sake of peace—which none can prize more highly than I do—and for the Union—whose benefits are, by no means, to be lightly put at hazard. But I am not willing to yield every thing. There is a point where yielding must stop, or every thing will be demanded and surrendered.

Compromise! What is a compromise but a *mutual* concession? And what are the *South* prepared to concede? Nothing! As usual in the contest between freedom and slavery in *this* country, the concessions must all be on one side. While slavery is reaching forth the arms of her power in every direction—lengthening her cords and strengthening her stakes, and grasping, by a bold and daring policy, the entire control of the Union, the People of the North must stand still—shut their mouths—throw away their pens—break their presses—and sit down in silence, without even the poor privilege of *praying* for deliverance from her all-grasping dominion! And all in the spirit of compromise! for the sake of peace! and the Union! Sir, it is enough to sicken the soul of a freeman to hear this cant of compromise—a compromise of silence! of death! not the death of slavery, but the death of freedom!

ABOLITION;—ITS AIMS;—AND THE MEANS OF THEIR ACCOMPLISHMENT.

Mr. Speaker, I have done with "the compromises of the Constitution." I regret that I am compelled to leave this branch of my subject while so much remains to be said to do it justice. But I must forbear.

Recurring to the question more directly before the House, let me remark that there is another reason, substantially, though not very distinctly, urged against the reception of petitions on the subject of slavery. It is, that they come from "*abolitionists.*"

I have been amazed, while sitting here, to witness the strife on this floor, in denouncing the men and women whose prayers come up here for the abolition of slavery. "Pedantic knaves"—"superstitious fanatics"—"vile fanatics"—"desperate and despicable fanatics"—are specimens of this denunciation. Sir, I promised, when I began, that I would indulge in no retorts; and surely I cannot find it in my heart to indulge any suited to such attacks. Not that I do not hold in high estimation the many excellent and intelligent of my constituents who are thus assailed; but it is because I *do* thus esteem them, that I make no reply to such denunciations.

"Abolitionists!" What is abolition? At what does it aim? By what means is it sought to accomplish its objects? These are questions which I propose, briefly, to answer.

Abolition is among the noblest of the objects which can engage the efforts of man. It is the deliverance of *men* from the ownership of others, and restoring them to the ownership of themselves. It is to take away whips and tortures as incentives to effort, and to substitute for them the instincts of self-support, and the nobler and more efficient ones of care for the support of others. It is to substitute for promiscuous concubinage, the marriage relation, with its sacred rights, its hallowed privileges, and its countless blessings. It is to emancipate mind from complete human dominion, and raise it to freedom of thought, freedom of purpose, and conscious reponsibility to the God of the Universe. It is to open the Bible, now shut to millions of human beings, and to give them the privilege, and aid them to enjoy it, of "*searching* the Scriptures," which are "able to make them wise unto salvation."

This is abolition. Who ought to be reproached for it? Who ought to be ashamed of it? It may be sneered at, and derided; and may come to be used as a name of reproach. But who cares for a name? Who that is capable of understanding what *principle* means, will tremble at the *name* of abolitionist? Here is the *thing*. Look at it. Is there a nobler end under Heaven

—can there be—than the emancipation of the body and the soul of man from such dominion, and his restoration to such rights?

These great purposes abolitionists aim to accomplish to the extent of their power throughout this country, and throughout the world. Their benevolence is bounded by no lines of latitude or longitude; by no seas, oceans, or continents. It grasps the globe. Wherever there is a human being suffering from oppression, there does it find an object of kind regard and anxious solicitude. It feels for those in bonds, "*as bound with them.*" The fetters which gall the limbs of the slave lacerate its own spirit. Impelled by a quenchless love for MAN, it crosses oceans, climbs mountains, traverses continents, encounters dangers, faces death, for his redemption from oppression, and his elevation to freedom, intelligence, virtue, happiness, hope, and Heaven.

Such is abolition. But some may say abolition, thus explained, is an *effect* which we would indeed like to see accomplished—and, in this sense, we are abolitionists; but we are opposed to abolition*ism*—that is, to the means that are used to produce that effect.

I use the word *abolition*, in this discussion, both in its popular sense, as descriptive of the present great movement in favor of emancipation, and, also, in its literal signification, as descriptive of the effect sought to be accomplished by that movement—leaving to those who hear me to give it a signification appropriate to the connexion in which it is used. But what I say of abolition, as an effect, I would substantially say of it as descriptive of the present great movement to produce that effect. By this, however, I do not intend to sanction every thing that is done by every body engaged in this movement. I have seen, and still see, many things to disapprove. But I regard them as spots in the sun, which, after all, gives a glorious light.

In approving of the present abolition movement, I speak in reference to the *principles* that give it vitality, and the *great agencies* by which it is sought to give them efficacy—namely, Free Speech and a Free Press—a freedom restrained by truth, and the *spirit* of the religion of Christ. Disapproving, as I do, of precipitate and ill-directed measures, and the indulgence of a harsh and bitter zeal in this cause, I feel, nevertheless, bound, in sincerity, to say, that I had much rather see even this than to witness a continuance of the nation's *death slumber* over this great question. The first movements in the process of purifying the atmosphere are not unfrequently announced by "harsh thunder." But the thunder storm is nearly over—to be followed, I trust, by a steady and refreshing rain, which shall nourish the thirsty earth, and finally bring forth an abundant harvest of good to our country.

By what means does abolition seek to accomplish its purposes? BY THE POWER OF TRUTH. Shaking not at sight of the Goliah of slavery, it marches fearlessly to meet him. Trusting in the power of Truth, and showing their respect for slaveholders by confidence in its practical efficacy, abolitionists patiently, and kindly, and perseveringly urge upon them its demands, and press them with its entreaties. I say *kindly*. Perhaps not always so. Better it were *always—far better!* But slavery is *slavery!* Not to feel, when the full import of *that word* enters their minds, would do no credit to their hearts, though it might secure for them the reputation of prudence, and save them from reproach.

By the power of truth, abolitionists seek to create, everywhere, a public sentiment against slavery. They see the nation drugged with the opiates of wealth and pleasure, rioting in present abundance, and grasping after still greater; while the slave treads the same everlasting round of labor unrequited, and of toil unblest, his mind brooded in perpetual darkness, his crushed spirit feeling no elevated aspirations, and entering into none of the enjoyments suited to its noble nature and high destiny: while the nation, like the Priest and the Lovite, have *passed by*, in cold, selfish indifference, leaving him to perish, without help and without hope. By patient and untiring efforts do abolitionists seek to awake the People of this nation from their guilty slumber over the wrongs of slavery, and produce a conviction that the time has come when something should be *done* for its abolition.

To the extent of the constitutional power of Congress over this subject they ask its action. They pray it to abolish slavery and the slave-trade in this District, over which it has exclusive jurisdiction, and to prohibit, as it clearly has a right to do, the slave-trade between the States, and to admit no more slave States into the Union.

But their great, leading object is to create such a public sentiment in the South as shall effect the abolition of slavery in the slaveholding States by their own legislation. To do this, they labor, in the first place, to arouse *the North* to a consideration of this subject, to the end that it may speak out in clear and decided language its condemnation of slavery, and thus exert upon the South a strong moral influence in favor of its abolition—believing that the South will not pertinaciously refuse to yield to the calm and enlightened judgment of their brethren, especially when it is in accordance with the judgment of the great mass of the civilized world.

While speaking of the means by which abolitionists aim to accomplish the abolition of slavery in the United States, I deem it proper to disabuse them of the charge of aiming to abolish slavery in *the States* by the legislation of Congress—a charge which is, I am informed, believed by many at the South to be well founded.

I hold in my hand "*Jay's View of the action of the Federal Government in behalf of Slavery*"—a work published by the American Anti-Slavery Society, and, of course, expressing its views on the topics of which it treats. While I ask the attention of the House to that portion of the book which I am about to read, I take the occasion to commend the entire work to the attention of those who may be able to obtain it, as containing facts and views worthy the attention of all the members of this House, and all the People of this nation. The author says, (p. 216:)

"Every State possesses all the powers of independent sovereignty, except such as she has delegated to the Federal Government. All the powers not specified in the Constitution as delegated are by that instrument reserved. Among the powers specified, that of abrogating the slave codes of the several States is not included. On the contrary, the guaranty of the continuance of the African slave-trade for twenty years; the provision for the arrest of fugitive slaves; and the establishment of the federal ratio of representation, all refer to and acknowledge the existence of slavery under State authority. If, therefore, the abolitionists, unmindful of their solemn and repeated disclaimers of all power in Congress to legislate for the abolition of slavery in the States, should, with unexampled perfidy, attempt to bring about such legislation; and if Congress, regardless of their oaths, should ever be guilty of the consummate folly and wickedness of passing a law emancipating the slaves held under State authority, the Union would, most unquestionably, be rent in twain. The South would, indeed, be craven, could it submit to such profligate usurpation. It would be compelled to withdraw, not for the preservation of slavery alone, but for the protection of all its rights; and indeed the liberties of every State would be jeopardied under a Government which, spurning all constitutional restraints, should assume the omnipotence of the British Parliament. But it is scarcely worth while to anticipate the consequence of an act which can never be perpetrated so long as the People of the North retain an ordinary share of honesty and intelligence."

BRITISH ABOLITION.

And now, Mr. Speaker, let me show you the relation which this movement, at the North, bears to abolition elsewhere. Let me show you that it is but part of the great abolition movement of this age—a movement, in regard to whose principles and progress no American statesman ought to be, and no Southern statesman *can* be indifferent. Let me especially call your attention to British abolition, which forms so prominent a part of it; and from whose origin, progress, and termination both the North and the South may draw lessons of the deepest practical importance.

The British slave-trade had existed for near two centuries, when David Hartley moved, in the House of Commons, in 1776, a resolution declaring "*That the slave-trade was contrary to the laws of God and the rights of man.*" It met the fate which a resolution, making the same affirmation of a similar trade carried on in sight of this Capitol, would probably now meet in this Hall. It was promptly rejected.

In 1783, a petition against the trade was, for the first time, presented in the House of Commons. It met the fate which the petitions I have in my drawer before me will meet, if the rule I am opposing shall be adopted: its *consideration* was refused.

The Quakers, with whom these unsuccessful efforts originated, were not discouraged. On the 7th of July of that year, Six of them met in London "to consider what steps they should take for *the relief and liberation of the negro slaves in the West Indies, and for the discouragement of the slave-trade on the coast of Africa.*"

What a sublime spectacle is here presented! *Six men* meeting together to devise means for waking the British nation from the guilty slumber of two hundred years! Six men *conspiring* to overturn a system of injustice and oppression which had received the sanction of ages; and which was fortified by the interests, the prejudices, and even the religion of the whole British empire! Nothing can exceed it in moral sublimity, but the going forth of twelve fishermen at the command of the "Despised and Rejected," to assail an empire of Pagan idolatry and superstition which overshadowed the world.

And what was the *principle*, and what the *spirit* of this mighty enterprise? They were, the *great truth* which *this* nation had just triumphantly maintained in a seven years' war, and the benevolence which had sent forth to all nations the twelve disciples of the Christian faith, seventeen hundred and fifty years before.

Six Quakers! I cannot leave them! How prompt to yield to the "inward light!" How steady to the noble purpose it dictated! Well did Patrick Henry say, "*I shall honor the Quakers for their noble efforts to abolish slavery.*" And who will not honor them for their patient, untiring devotion both in Great Britain and in this country, in behalf of their oppressed brethren of the African race? How valuable the "testimony" they have uniformly borne against the great iniquity!

The Six Quakers! Let none, henceforth, be disheartened in the cause of truth and righteousness, though few, and feeble, and despised. It was not by might, nor by wisdom, but by *the power of truth*, that these men went forward and verified the prediction that "one shall chase a thousand, and two put ten thousand to flight." The Six Quakers! Let us remember them, and be faithful to humanity, to justice, and to truth.

The Six Quakers were soon joined by the same number of philanthropists of other Christian denominations. "The twelve" held meetings in London to devise means for revolutionizing the sentiment of an empire! Agents were appointed, among whom was the celebrated Clarkson, to rouse the public attention to the great subject. The Pulpit and the Press were enlisted. Books, pamphlets, and newspapers were freely circulated. Within a few years petitions to Parliament were multiplied, insomuch that a commission was at length appointed by the Government to inquire into the African slave-trade; and, finally, on the 9th of May, 1788, the House of Commons voted that they would, at the next session, take the subject of that trade into consideration.

Without pursuing further the details of this matter, suffice it to say, that the ball thus put in motion continued to roll on, until the slave-trade was abolished by act of Parliament in the year 1807.

But the great anti-slavery movement, begun by the Six Quakers did not end here. If it had thus terminated, it would have been, in the end, little less than a failure; for while slavery, the parent of the slave-trade, is cherished, it will be in vain to attempt a complete suppression of its offspring. The great principle of opposition to the one can never be satisfied without the destruction of the other. This principle continued to operate with augmented power, and by various means, until the whole fabric of African slavery in the British dominions at length tumbled into ruins. The result is before us, even at our doors, in the full and complete emancipation of more than eight hundred thousand slaves in the British West India Islands, on the 1st of August, 1838.

I might recur to the early history of this great movement of British philanthropy, and show you with what bitterness and violence its projectors and supporters were assailed; and with what strange assurance slavery and the slave-trade were defended by their advocates. But time will not permit. Suffice it to say, that the men who urged on the movement were denounced as "hypocrites and fanatics," and their project as visionary and delusive. It was declared in Parliament that it was "the intention of Providence, from the beginning, that one set of men should be slaves to another." The abolition of the trade, it was confidently predicted, would ruin the Colonies, and fill them with massacre and blood; while the trade itself was actually vindicated on the ground of "its conformity with the principles of natural and revealed religion, as delineated in the Word of God!" "We had to contend," (says Clarkson, in his history of that struggle,) "and almost to degrade ourselves by doing so, against the double argument of the *humanity* and *holiness* of the trade!

And now, Mr. Speaker, can you consider the principles which lay at the foundation of that great movement—can you reflect upon their mighty moral power, and mark their triumphant results, and wonder at the existence of American abolition? Wonder? Why, sir, would it not be among the greatest wonders of the world that the People of the United States should, with this history, and these results before them, have continued to sleep over American slavery?

FRENCH ABOLITION.

Sir, look at the influence which the British example has exerted upon other countries besides our own. Look, for example, at what is now going on in France. Abolition is engaging the attention of some of the greatest minds in the Empire. Societies are formed, and the subject is undergoing a thorough investigation. I have before me a summary of a report recently presented to the French Chamber of Deputies by M. DE TOCQUEVILLE, in the name of the commission charged with examining the question of the abolition of slavery in the French dominions, which I beg permission to read. It is as follows:

"The report passes lightly and contemptuously over the arguments in favor of slavery, and takes for granted the conviction in every mind that it ought to be done away with. It passes immediately to the question of its being necessary to prepare the slave for emancipation previous to liberating him. M. Tocqueville, in the name of the commission, asserts that all attempts to improve, enlighten, and prepare the slave, as long as he *is* a slave, are impossible. The slave not only is ignorant of marriage—of the sacredness and morality of that tie—but incapable of being made to appreciate it, as long as he is a slave. There is antipathy between marriage and slavery—between slavery and the paternity which accompanies marriage. The slave's children are his equals—are independent of him, and excite no interest. None of the prudence and other virtues attending paternity accompany it in the slave. Christianity is equally incompatible with slavery—equally unintelligible. The minister of religion appears either as a support of the master's rule, and is thus abhorred; or he preaches the doctrine of Christian freedom, dangerous to the master. The commission, therefore, abandons the idea of preparing the slave for freedom by any regulations for his treatment *whilst a slave.* Emancipation, it adds, cannot be deferred."

Another summary which I have seen of this important report represents it as saying:

"The idea of emancipation is already present to the minds of all in the colonies. 'The approach of this great social change, the natural fears and the lawful hopes which it inspires, penetrate all bosoms, and produce deep agitation.' The recent events in the neighboring British islands have brought the idea of coming emancipation home to the planters."

The report concludes by proposing that, in the session of 1841, a law for the abolition of slavery shall be presented, determining the amount of the indemnity which is to be saved to the state by means of the salary of the emancipated negroes—the labor of the latter to be secured by an express law.

Here is the effect which the principles of abolition, illustrated and enforced by the British example, are producing in France.

PRESENT MOVEMENT A REVIVAL OF OUR EARLY ABOLITION, AND PART OF THE GREAT MOVEMENT OF CHRISTENDOM.

Do you still wonder at the feeling which exists at the North on this subject? Go back, for a moment, to the *early* history of abolition in our own country. Consider the nature and extent of the anti-slavery feeling of the Revolution, and of the times succeeding it. Consider how wide, and deep, and strong was the current of this feeling when the Constitution was formed, and the present Government was organized; and then think how natural it is that the example of Great Britain, who has gone *forward*, in the very spirit of our own early abolition, while we have gone *backward*, should shame our recreancy to our own principles, and make us haste to redeem our-

selves from its reproach. How is it possible, with such associations crowding upon the national mind, that we should not catch some of the inspiration of the times when our fathers, looking up to Heaven for deliverance from oppression, thought of the slaves, and promised to *deliver*, as they themselves prayed *to be delivered*—of the times when Washington and Jefferson, Martin and Pinkney, Franklin and Jay, with a host of others, distinguished as statesmen, jurists, and divines, united in declaring slavery to be a violation of the "law of eternal justice," and a curse to *the country*.

Mr. Speaker, look yourself at all this, and tell me if you do not find your own spirit moved a little on this subject—if the fire of abolition does not begin to kindle even in your own bosom, and its impulses begin to move your own generous heart. At least tell me if you can any longer wonder at the anti-slavery movements of the North; or if you can find it in your heart to denounce as "desperate and despicable fanatics" the men and women whose hearts, happily free in this respect from the prejudices of your own education, sympathize in the great movements of humanity in behalf of the African race, and feel the inspiration of the principles which have wrought out such happy results.

Sir, the present anti-slavery movement in this country is but part of the great movement of Christendom against slavery which has been going on for centuries, and especially for the last half century. Ever since Christianity emerged from the ages of oppression's dark and iron reign—raising her majestic form, and reaching forth her open hands with healing for the nations—has Emancipation gone forth with protection for the weak, help for the helpless, and soothing for the heart of sorrow. Bending over the crushed and bleeding victims of oppression, it has poured oil and wine into their wounds—given deliverance to the captives—opened the prison doors to them that were bound—broken the fetters from the body—given freedom to the mind—and raised man to the true dignity and glory of his immortal nature. On her triumphant banner has been inscribed—*Emancipation of Mind—Emancipation of Speech—Emancipation of the Press*—EMANCIPATION OF MAN.

PROGRESS OF EMANCIPATION ONWARD AND RESISTLESS.

And is it, sir, thought to impede the progress of Emancipation by the puny efforts that are made *here?* Vain attempt! Can you hold the winds, stay the tides, or stop the course of universal Nature? Then may you seal up the fountains of sympathy in the human soul, extinguish the sense of justice, and arrest the onward march of human emancipation. Stop emancipation! As well might the scoffers at Noah's ark-building have undertaken to shut the windows of Heaven, seal the fountains of the deep, or roll back the tide which drove them to the mountain tops as their last refuge from the rising flood.

There are some who, faithless as to the efficacy of gag resolutions and gag rules, talk of a reception and commitment of the petitions, and a report thereon; which report is to *put down* abolition for ever and ever! I recollect a remark I heard when a certain speech was made in a certain place—that *that* speech would *put-down* abolition. Sir, you might as well attempt to blow out the sun as to put down abolition by a speech or a report.

Gag resolutions, gag rules, and "*put down*" speeches and reports, will be like *putting down* a walking stick in the Mississippi to stop its current. You think only of a rivulet, when there is a mighty stream. Turn your eyes to the Southeast. Behold the Gulf stream sweeping by your shores with its resistless and never-ceasing tide. Can you stop it? Try. Run out a pier of corkwood from Charleston. What is the result? The Gulf stream moves on! And *there* is an emblem of the stream of abolition which is rolling in upon the South from the British West Indies. Within a short time it will be swollen by the stream of French emancipation; and then, in the course of a few years, by that of Spanish emancipation.*

And then, sir, you do not think of the extent and power of abolition sentiment in our own country. Stop up the crater of a volcano, and soon the trembling, heaving earth reveals the mighty agency at work within! Sir, the human heart is full of abolition; and sooner or later it will come forth. There is that in slavery which seizes hold of the deepest sympathy of the human soul, and gives to it the most intense activity. It is not mere animal sympathy. It is not excited alone by accounts of bodily suffering; nor soothed into indifference by its mitigation. It is a sympathy with the nobler nature of the slave, crushed by the weight of slavery. It rejoices, indeed, to see him any where comfortably fed, and clothed, and housed; but it, nevertheless, sees him a *slave!*—his mind darkened, and his heart insensible to any higher emotions than the hopes and fears which are bounded by the narrow space of his earthly existence—an existence (I speak of slavery generally—there are exceptions) elevated to no practical purposes of duty to God and man above the brute that labors by his side. It sees, in short, *his soul transfixed with the iron of slavery.*

The feeling produced by the contemplation of all this is deep, and will be enduring. And, sir, it is to take possession of minds that have hitherto directed but little attention to this subject. It has now, indeed, a very deep hold on the minds of men who have connected themselves with no anti-slavery associations, and have manifested no forwardness in anti-slavery move-

* Since the delivery of this speech, there has appeared the Bull of Pope Gregory XVI against the slave-trade, dated at Rome, December 3, 1839. Its language shows very clearly that there is henceforth to be an influence from *that* quarter which will tell with tremendous effect against slavery—an influence that will enter the very heart of its dominions in Brazil, the Spanish West Indies, and the United States.

ments; men who may, perhaps, never join an anti-slavery society; but whose influence will, by and by, tell against slavery with great effect. Under the moderating influence of such men, Northern abolition is destined to settle down into a *calm, steady, deep, and resistless current* of abolition sentiment and feeling, which will make it more terrible to the South than an army with banners.

And then, sir, while abolition shall thus progress at the North, it will begin to be manifested *elsewhere*. Sir, before you are aware, it will make its appearance in the very heart of the South itself. Hitherto the anti-slavery feeling in that quarter (and there is a great deal of it there) has been absorbed by the scheme of colonization. The delusion that colonization can be made a *complete remedy* for the evil of slavery, by removing the whole of the slave population from the country, is to be dispelled, as involving an utter impossibility; and the opponents of slavery at the South are to be thrown upon the simple alternative of *abolition* or *slavery*—slavery with a fearful increase of numbers, and slavery *without end!*

When the southern mind shall be brought to look *that* alternative full in the face, (and the sooner it is done the better,) then will "abolition" begin to *make its appearance* in the South. Indeed, sir, it is *now* there to a much greater extent than many are aware. And well it may be; for there has long been an Abolition 'Agent traversing the whole Southern country—an agent of surpassing ability and power—an agent who will soon give your Calhouns and Thompsons something to do besides framing gag resolutions for their legislative halls, and constructing cob houses for defence against the artillery of Northern abolition. Do you ask me the name of that agent? I will tell you. It is CONSCIENCE—the most unyielding, uncompromising abolitionist the world ever saw. He has long lectured at the South with various success. He never fails to visit the *bed of death*, and *there* often speaks with great effect! He has lectured in England for the last half century with astonishing success; and is now at work in France; and is preparing to visit Spain, and Portugal, and other countries in Europe and America. I warn my Southern brethren to look out for this abolitionist—not for the purpose of catching and hanging him—for they can do neither—but to see him as he is—to measure his dimensions—to study his character—to respect his authority—and to yield to his power.

Such, sir, are the foes, external and internal, with which slavery has to contend. And is it thought to retreat from them by carrying out the threat to dissolve the Union? Sir, it would be like jumping into the crater of a volcano to escape its smoke and cinders. A dissolution of the Union to escape the influence of abolition! Why, sir, the moment you do this, there will be enlisted under the banner of the great anti-slavery agent now within your borders a thousand auxiliaries more powerful than all the Birneys and Blanchards, the Stewarts and Stantons in the land. A dissolution of this Union for the purpose of saving the institution of *slavery!* And that in the middle of the *nineteenth* century of the *Christian* era! Was ever infatuation like this? Would a dissolution of the Union shield the South from the power of abolition? Would it not, thenceforward, act with tenfold energy? Would not a severance of the Union instantly awaken throughout the whole South an *oppressive* sense of the *evils* of slavery! and a still more oppressive sensibility to the *deep disapprobation* of the civilized world? Sir, when the South shall be prepared to quit this fair land of promise and of hope, and launch upon the deep, in search of regions beyond the reach of civilized and Christian man, then, but not till then, let it talk of dissolving the Union *to save the institution of domestic slavery.*

DISPOSITION TOWARDS SLAVEHOLDERS—RESPONSIBILITIES OF PIOUS SLAVEHOLDERS.

In discussing this subject, I have spoken, as I felt bound to do, with great plainness, of the character, the encroachments, the deserts, and the doom of slavery. In doing this, I fear that, though intending to avoid harshness, I may have been unconsciously betrayed into it. With slaveholders I have no personal controversy. To them, as to all, I would be respectful and kind, while I am, as I must be, open and decided in my hostility to slavery. Of their motives in sustaining the institution of slavery, I have nothing to say. I am not constituted a judge of their hearts. There is One that judgeth. I assume no such office—standing here not to lecture on morals, but to speak of *human rights*. Nor would I indulge in any sneers, invectives, or an athemas. They are as foreign to my feelings as they are to the proprieties of the place and the occasion. Let those who choose, wield such weapons. My business is to reason, not to rail; to entreat, not to denounce. For the slaves I have pity; for their masters no other than feelings of kindness and good-will. They are alike my brethren; and I would no sooner insult the feelings of the one than I would apply the lash to the backs of the other.

Among slaveholders there are men of great personal worth. I see such around me. But I must be permitted to say to them, and to all that stand in this relation, that they know not what they do. They avoid, doubtless, what are called the cruelties of slavery, and are regarded as kind masters. But do they reflect that they, and such as they, constitute the very pillars of slavery?—that the *whole system*, with its admitted cruelties and undeniable outrages on human rights, would *fall*, if good and pious men were to withdraw from it their countenance and support? That such would be the effect is undeniable. How much longer they can, under the increasing light of the rising day, continue their present relation to the institution, or whether any longer, I will not take upon me to say. But I do say that there are responsibilities connected with a continuance of this relation, which have something to do with the *consequences* of that relation; something to do with the enormity of *the system* of which it forms a part, and which they are endeavoring to clothe with the sacred garb of Christian principle. The truth is, the *whole system* of

slavery is wrong, incurably wrong. Pious slaveholders avoid what they deem oppression and cruelty, without reflecting that, in its mildest forms, slavery contains the great *essential element* of all oppression and cruelty—namely, *injustice*.

EXPEDIENCY AND JUSTICE.

Before closing, Mr. Speaker, I beg permission to consider, briefly, an objection which is urged against granting the prayer of the petitions which the contemplated rule would reject, drawn from considerations of *expediency*. Admitting, says the objector, that Congress have *the power* to abolish slavery and the slave-trade here, yet it is inexpedient to do it.

Mr. Speaker, this is a question of *justice*. Let me illustrate. I take a man's horse and put him into my stable as my property. *Justice* comes and says, Open that stable-door and send that horse to his owner. But *the law* has authorized me to take him. For indebtedness? asks Justice. No. Then let the door be opened at once; and let the law be repealed without delay. Who will say that expediency may resist that order?

But let us vary the case. Instead of taking the man's horse, I take the man himself, claim him as my property, drive him to my fields and compel him to labor without compensation. Justice meets me and says: Lay down that whip and cease to claim that man as property. But *the law* has authorized me thus to claim and use him. No matter for that, I say, Let him go; and to the law-makers I say, Repeal your law immediately. Would not *expediency* blush to be seen countermanding either of these orders?

Take another case. There is a man riding through Pennsylvania Avenue, and there are fifty men in chains marching before him. What is he doing with them? Driving them to market! Justice comes along and asks, By what authority are you doing this? By authority of the laws of the United States, is the answer. Have these men committed crimes? asks Justice. No, is the reply. Then knock off those chains instantly. But *the Nation* has authorized me to chain and drive these men, and I shall do it; cease your impertinence. And what next do we see? Why, sir, Justice turns from the scene of horror, and, lifting up his trumpet voice, says to the nation, Cease this injustice; command that these victims of oppression be restored to freedom; command it *immediately*. Stay, cries the slave-driver, it is *inexpedient*—Inexpedient! inexpedient! exclaims Justice, Break these chains and let them not, for another moment, bind the limbs that God Almighty made for freedom.

Who, sir, will dare stand up, and, in the name of *expediency*, resist this command? None but those whose minds have never grasped the great idea of Justice; who have never considered the nature and authority of its claims upon human obedience. Justice! How deep and comprehensive its meaning! How inflexible its decisions! How inexorable its demands! How watchful is its guardianship of human rights! How deep does it lie in the foundation of our civil institutions! The English common law, the inheritance and the blessing of our country, rests upon it. It gives stability to our State Constitutions; and here it is, the very "*corner-stone*" of the Federal Constitution. "To establish justice!" How properly does this stand out in bold relief, among the assigned purposes of its adoption; and with what singular appropriateness was it made to precede and stand in immediate connexion with another great purpose, namely, "*to secure domestic tranquillity*," forming, in fact, the true and only basis on which that tranquillity can rest.

Justice! sir, it is the noblest attribute of the Almighty—immutable as his own nature, and firm and enduring as his everlasting throne—high as Heaven, deep as Hell, and broad and boundless as the universe. Justice! Let that word be engraved on the pillars that surround these Halls of Legislation, and upon the walls of the Executive Mansion; let it blaze from the dome of every Capitol in the Union; let it be written in stars on the expanse of the American heavens; and let it be deeply furrowed with the ploughshare of truth upon the broad face of our country, from Ocean to Ocean.

But I am asked—with all your veneration for *Justice*, would you now vote to abolish slavery and the slave-trade in the District of Columbia? Is not "public opinion throughout the Union against it?" And is it not "utterly impracticable?" That may be; though I think the public opinion is less opposed to it than the objector imagines. But it is not impracticable for me to vote for it; or, at least, to declare that I will do so, if I can have an opportunity. Possibly my vote might stand alone, though I do not deem that quite certain. But the vindication of many a right has had as small a beginning as this. None that I ever heard of was vindicated by beginning with the declaration that nothing could be done, and, in accordance with it, *doing nothing*. Whoever here believes that Justice demands the abolition of slavery and the slave-trade in this District, let him say so by his vote. If he begins alone, he will not long remain so. How small was the beginning of abolition in the British Parliament?—small, I mean, in numbers and immediate influence, though great—transcendently great—in the man who first moved the measure. It was Wilberforce—possessing a soul as large in its benevolence as the universe, and a mind that grasped the mighty subject in the profound depth of its great principles, and in its vast bearings on the destinies of the race whose rights he vindicated, and to whose deliverance from oppression he devoted his life. Wilberforce! A name I feel unworthy to pronounce, and which I never can pronounce but with the deepest veneration for his meek and gentle, though dauntless courage and noble bearing in that great cause.

When Wilberforce moved, for the first of the ten times he did move, the abolition of the slave-trade, he was denounced, even by name, on the floor of the House of Commons, as a "hypocrite

and fanatic;" but that did not move him. Planting himself on the rock of Truth and Justice, he stood unappalled by the magnitude and threatening aspect of the system of injustice which he assailed. And think you he would have been less earnest and less persevering in that cause, if, instead of a trade in slaves between Africa and the West Indies, the trade had been between London and Liverpool, as it is here, between Washington and New Orleans?

It is said, I know, that the abolition of slavery here is but a small matter. It is, however, small only *in comparison* with the great work which is to be done in the States beyond the reach of our legislation. Nothing is small, in an absolute sense, that involves a question of justice. JUSTICE listens as attentively to the claim of one man for the rights that God has given him as to the clamors of a thousand. Here, within our exclusive jurisdiction, are *men* who claim *justice* at our hands; and shall we refuse it? Can we refuse it? So far as my humble voice can go, it shall not be refused for a day or an hour.

But if a majority of this House are not ready now to vote for the abolition of slavery here, will they not vote for the abolition of the *slave-trade*? That the public mind is not prepared for *this*, is what I will not admit, until I am forced to do it by something more conclusive than "dough-face" predictions that it will dissolve the Union. Sir, it is a foul libel on this nation to say that it is not prepared to abolish *the slave-trade* here. If it is not, then, in the name of consistency, I say, let it repeal its laws against the foreign slave-trade, and permit the dealers in human flesh to disgorge their cargoes of living death upon the shores of the republic.

You will perceive, Mr. Speaker, that I make the demands of JUSTICE imperative. We are so constantly in the habit of consulting expediency, and very properly, too, in the ordinary affairs of life, that we are prone to forget the *peculiar* character of the claims of Justice. We are often *afraid* to do justice, because of supposed consequences. Nothing can be more false in ethics than this. We should "be *just* and *fear not*." "What doth the Lord thy God require of thee, but to *deal justly*, *love mercy*, and walk humbly with thy God." There is no individual or nation under heaven upon whom the obligation of this requirement does not rest with perpetual, unmitigated force. Are *we* to oppose our short-sighted apprehensions of danger to the demands of Justice? Do we believe in the authority of the Giver of this law of justice and mercy, and that the world is governed, not by blind chance, but by his unerring Providence, and shall we not trust to Him to take care of the consequences of a compliance with his own commands?

But if our faith is not satisfied with reasoning *a priori*, shall we not be convinced by the reasoning from facts? What nation or individual ever suffered from *doing justice*? Take, for example, the cases of emancipation. Although they have often been preceded by gloomy predictions of evil, of massacre and blood, yet what single page of history has recorded their fulfilment? St. Domingo has often been cited as an exception. But if it *were* an *exception*, it would prove the rule. It is not, however, an exception, as I could easily show if I had time—the massacre and blood having resulted from the cruel attempt of Bonaparte to force the emancipated back to bondage—an attempt which they nobly and triumphantly resisted.

But even if St. Domingo *were* an exception, it would prove nothing to the objector's purpose, since emancipation there was in the midst of a revolution in the mother country, distinguished, as all know, by cruelty and blood, and by an entire absence of all religious restraints. All who know any thing of the history, especially of modern emancipation, know that it lives and moves and has its being in the benign and peaceful spirit of the Christian religion—a spirit that acts at once on the emancipators and the emancipated. Let those who are filled with apprehensions of evil from emancipation, consider that, henceforth, more perhaps than at any time heretofore, is Christian principle to become the master-spirit of abolition, exerting its hallowing influence upon both the white and black races, giving a healthful and wise direction to the measures of the one, and chastening the feelings, elevating the purposes, and ennobling the awakened energies of the other.

EMANCIPATION, IMMEDIATE AND SIMULTANEOUS.

But, I am asked, must emancipation be immediate? Is it not necessary to prepare the slave for freedom? Experience has shown that one of the most important preparations for freedom is freedom itself—that a state of slavery is utterly incompatible with preparation for the enjoyment of freedom. Thus the operation of West India emancipation has been found more favorable in those Islands where the emancipation was immediate, as in Antigua and the Bermudas, than in those where the system of apprenticeship was adopted. Those concerned in the present movement of abolition in France have, it seems, fully considered this subject, and have come to the conclusion, as in the report of M. de Tocqueville to the Chamber of Deputies, to which I have referred, that immediate, is preferable to any form of gradual emancipation.

The truth is, that the need of preparation is on the part of the free, rather than the enslaved. By this I mean that the success or failure of all attempts at emancipation must depend upon the promptness and freeness of the act—having reference to the effect upon the feelings of the emancipated—and the kind and paternal legislation which shall be afterwards adapted to their peculiar situation; legislation which shall bring to bear, systematically, upon their roused energies and quickened intellects the conservative influences of a pure religion and an uncontaminated literature.

And, sir, shall not all this be done? *Can* it be withholden? Is it not a debt long, long due to this unfortunate and oppressed race? Has not their degradation been the work of slavery? And for whom have they labored? Whose fields have been moistened by the sweat of their brows? Whose tables have been spread with the fruits of their toil?

There are many who are strongly wedded to the old but soon-to-be-exploded system of emancipation upon what is called the *post nati* principle—that is, emancipation which takes effect only on the *after-born*. No system can possibly be worse than this. It leaves the training of the free children in the hands of slave mothers; and brings into perpetual contact the free and the enslaved, each to exert the worst possible influence on the other. To this cause, with the cruel neglect of legislative provision for the education of the emancipated, is to be traced the degradation of the free black population in the slave States, as well as in those States—Pennsylvania, for example—in which emancipation has been effected on the principle just mentioned.

The true system is, to emancipate all at once—to make the act of justice appear like one of noble generosity—and thus—as has been seen in the West Indies—excite a common feeling of gratitude in the emancipated, and rouse them to common and simultaneous effort, and *emulation*, in the march of improvement. Who can fully estimate the results of removing the crushing weight of slavery, and leaving the common mind of an emancipated race to find its way, by the aid of wise and beneficent legislation, onward and upward in the march of intellectual and moral improvement.

EFFECT OF ABOLITION ON THE SOUTH.

Impressed, as I am, with a conviction of the decided advantage of immediate and simultaneous, over gradual emancipation, I cannot doubt that when the South shall come to emancipate, as they will one day do, they will nobly strike for immediate and simultaneous emancipation. There is a promptness and generosity in the Southern character which is a sure guaranty of this. I know it is said that abolition has thrown back emancipation half a century. There is *one kind* of emancipation that abolition *has* thrown back; and that is, *gradual emancipation*, with colonization *as a remedy* for *slavery*. In doing this, it has done a great service to the cause of genuine emancipation, because it has prepared the way for the adoption of a system founded on true principles. It is drawing the patient from a pernicious and deceptive reliance on an inadequate prescription, to the *true and only remedy*.

It is said that the North had better be quiet on this subject, for that the South will not listen even to truth coming from that quarter. Sir, this suggestion involves an imputation upon the intelligence and love of truth of the South, too dishonoring to be endured for a moment. There is a momentary feeling there, I know, which seems to justify the assumption. But it will not be enduring. The involuntary homage of the human soul to truth, checked for a moment by a feeling of independence—a noble impulse, rightly directed—will yet break out in the South, and, overcoming the pride of opinion, the prejudices of education, and the misdirected feeling of independence, will produce results that will astonish the world. The struggle may be long, but the triumph of truth will one day crown it. I may not live to see that day; but as surely as the wheels of time roll on, so certainly will that triumph come *to bless my country*.

"MY POSITION" DEFINED.

Mr. Speaker, I have finished what I intended to say on the subject before the House. Before taking my seat, however, I must beg its indulgence to permit me to follow the example of others, by "defining my position."

The decided ground I have taken on the subject of slavery may have led some to doubt whether I should not abandon my political associates, and withhold my support from their candidate for the Presidency. I take this occasion to say that nothing can be further from my intention than this. Before the meeting of the Harrisburg Convention, I publicly expressed my determination to support the nominee of that Convention, whoever he might be of the Whig candidates then before the country. And I am happy to say that a selection has been made of one who, to his firm support of genuine Democratic Whig principles, adds personal qualities which very much endear him to me, and greatly heighten the claim which his political principles give him to my confidence and support.

If I am asked what are Gen. Harrison's present views on the subject of abolition, my reply is, that I do not know. I do know, however, that they cannot be worse than those of his competitor; and I am willing to assume, for the present purpose, that they are no better—with, however, this difference, touching his own course, that he would not, as I trust, embody in his first official act a pledge, *in advance*, that he would exercise the veto power, either upon this, or any other specific subject. I think he will have the decency to wait for the proper occasion, and then honestly and intelligently deliberate upon the exercise of the power, in any case that may be presented to him. If I were a *Southern* man, I would spurn any proffer of aid to sustain slavery made for mere political effect, and in flagrant disregard of sound principle, as well as of the proprieties of the high station of Chief Magistrate of the country. I should never deem the interest I desired to protect safe in *such* hands.

In supporting General Harrison, I place abolition *entirely out of the question*. Not that I do not regard it as a subject of very great importance; and, indeed, as I have shown, a subject of great political importance. But it is not, and cannot be, the great *practical* question for the decision of the country *at the approaching Presidential election*. The public mind is not prepared to have an abolition candidate for the Presidency; nor to have an abolition President. I cannot act in obedience to blind impulse. I must see that some good is to be attained. What possible good can come to abolition, or to any other interest, by now bringing this question into the Presidential election? I have never been able to see any; I cannot now see any. On the contrary, it seems to me the cause of abolition would be deeply injured by it.

Abolition is eminently a *moral and religious* enterprise. It owes its existence to Christianity. Its triumphs have been emphatically the triumphs of Christian principles. Emancipation would not, in truth, be safe without their conservative influence. That influence is now eminently conspicuous in producing the auspicious results of emancipation witnessed in the West Indies.

The first step, then, in the great reform must be in the Church. Little progress can be made in enlightening and purifying public sentiment on this question, while the Church—"the Pillar and Ground of the Truth"—remains *insensible* to the *power* of truth. Here is a great, and, I am sorry to say, a *difficult*, work to be performed. The darkness which has long hung over the American Church, on the subject of slavery, has been like the darkness of Egypt. It must be dispelled, as it has been in Great Britain. The obligations of the Christian religion must be seen and felt, to be obligations which *know no distinction of color.* The Church must no longer ask, with unfeeling indifference—"Who is my neighbor?"

And then the moral feeling of the whole community is to be awakened. The true nature of the slave relation is to be investigated. The question—By what authority are *men* made slaves? is to be *considered*—not put aside for the next generation to consider. Men who hold slaves, and men who advocate the right to hold them, and men who refuse to bear testimony against holding them, are to be made to feel that they are all acting under responsibilities to the God of the slave—to Him who has made *all* of *one* blood, and who has connected *rights* and *duties* with this relation of brotherhood.

Here is the *foundation work* of abolition. It is a *great* work. It should be well begun. A spirit of kindness and good-will should strongly characterize every step in the progress of it, and stand out in strong contrast with the harshness and severity of ordinary party contests. *Whip of scorpions* should be wielded—much as there is in slavery to excite the feelings—but Truth should have, in her advocates, a spirit and temper corresponding with her kind and beneficent offices, and her pure and exalted nature. And *patience*, too, must have its perfect work. The rough and stubborn fallow ground is not to be broken up and the good seed planted in a day. Nor can it be expected to spring up and bear fruit in a day. There are *difficulties* to be encountered, peculiar to our own country; not difficulties to discourage, but to inspire caution, prudence, firmness, and a steady hold upon the great principles which lie at the foundation of the cause. Customary political expedients—the expedients of a corrupt and corrupting state of politics—must be avoided; and there must be exhibited a singleness and purity of purpose which shall commend the cause and its advocates to public confidence. Abolition must not be *suspected* of a design to obtain power for the sake of power. Its advocates must have no ambition but the ambition of doing good. A man who is aspiring to office as his *chief good*, has yet to learn the first lesson in the school of abolition.

The work of abolition is but begun in this country. The cause is in its infancy. It cannot start up in a day to manhood, as Minerva sprang forth, full armed, from the brain of Jupiter. Truth "will prevail" if it can have the aid of Time. It never yet achieved a victory without it; certainly not the victory of reforming a community.

It is thus that the great work is to be carried forward to its consummation; thus that the streams of benevolence are to be thrown into a right direction, and a sound and healthful public sentiment formed on the subject of slavery—a sentiment elevated by high intelligence, and purified by the pervading influence of Christian principles. Nothing can exert a more healthful influence on the public mind and heart than the agitation of the question of abolition, *under the guidance of these principles.* It will purify the fountains of national thought and feeli carry us back to the better days of the Republic, cherish in us their noble self-sacrificing spirit, and elevate us on to the broad platform whereon our fathers were gathered when they declared, in the face of earth and Heaven, that "*all men are created equal.*"

You will thus perceive, sir, that I place moral abolition in *the front*, and that I would have political abolition *more in the rear.* This will not, I know, suit the impatience of many very excellent men, who think that abolition will not thus advance with the desirable rapidity. But it will, in my judgment, advance more surely to a safe result.

I do not say that abolition is, even now, to be utterly excluded from the field of political action. It will of necessity, by degrees, enter it. It *cannot be kept out.* Of the circumstances which will justify such action, abolitionists, in the various sections of the country, will of course judge, from considerations which cannot control in deciding the question of bringing out an abolition candidate for the Presidency. Abolition has not strength to bear *such* a contest. Its infancy must not be rocked in the whirlwind of a Presidential election.

When and as fast as the public sentiment shall have become purified and elevated by the discussions of human rights and obligations, necessarily connected with the progress of abolition, there will be raised up, by a natural, *unforced* process, as vegetation springs forth under the genial influences of rain and sunshine, *men* fitted for the political duties which abolition is destined to perform.

I am aware, Mr. Speaker, that in thus avowing my determination in regard to the Presidency I subject myself to the censure of "sacrificing my principles of liberty." This is the language which has already been applied to me for the vote I gave for you as presiding officer of this body; and I expect it will be repeated, in reference to my present avowal. There are those who do not perceive, what seems to me a very plain distinction between *sacrificing principles*, and failing to do precisely all to advance them which some of their advocates deem necessary. They seem not to understand that a good cause may be injured as well by *overdoing* as by the

opposite. I regard the question of *anti-slavery*, in its principles and bearings, as the greatest question that agitates the world. But I cannot forget—for the history of all reforms admonishes me—that *time* is essential to success in the great contest which freedom is waging against oppression.

The principles on which this cause rests are as immutable as Truth and Justice; but the means of giving to them efficacy are various. If I were a slaveholder, I would not withhold *justice* from my slaves for an hour. I *could* not. If the laws prohibited me from emancipating them, I would, imitating the noble Alabamian who spent almost his last dollar to get his slaves to Indiana, leave the State which had sought to bind me by such unrighteous and cruel enactments, and seek one where the doing of *justice* would not be *contrary to law!* This is a case in which there should be no delay. Justice says—*now*. But, in taking measures to induce my neighbor who does not see the matter as I do to do justice, I may not be able to make it the work of a day, or a month, or a year. His movements are not subject to *my volitions*; and while, in my own case, considerations of *expediency*, as it is usually understood, are to be disregarded; in the other, I am not only at liberty, but may feel most strongly bound to exercise the wisdom that dwells with prudence, that so I may more speedily and effectually gain my brother.

Thus speak in reference, primarily, to the efforts of the North to *persuade* the South to undertake, in earnest, the work of emancipation; which efforts, it should never be forgotten, constitute *the great work* of Northern abolition. But what I have said involves a principle bearing upon the question of political action. I have heard it maintained that it was as wrong to vote, *in any case*, for a slaveholder as to hold slaves. There might be truth in this, in a case in which my vote, withheld from him and given to an opponent of slavery, might, without injuriously affecting some other great and vital interest, have a decidedly favorable influence on the cause of abolition. And this is precisely the question which presented itself to me upon the late election of Speaker; and which presents itself now, in reference to the election of President and Vice President. How is abolition to be benefited by my withdrawing from the great contest now about to be decided between Power and Popular Rights, and giving my vote for Mr. Scattering, or not voting at all?

Mr. Speaker, though feeling deeply on the subject of slavery, and ardently desiring its abolition, I do not stand here exclusively devoted to that interest. There are other great interests to be attended to in this nation besides that of abolition; and I should be false to the trust reposed in me were I to thrust them aside as unworthy of regard; especially in *the* CRITICAL CRISIS *through which they are now passing*.

And what is this crisis? It is *the point of extremity* in a great struggle which has been going on for ten years—a struggle involving some of the most essential principles of the Constitution. It is now to be decided whether the People are to be permitted the free use of their intelligent, uncontrolled suffrages to make the Congress and the President, and thus govern themselves, or whether the President shall use the vast patronage of the Government to corrupt its officers—deceive the People—make both branches of Congress—strengthen his abused power, and perpetuate it in the hands of his chosen successor; whether, in fact, we are to have a Government of Executive influence or a Government of laws—a constitutional Government of three branches, or an unconstitutional Government of one; a question, in short, between Executive power on one side, and Liberty and the Constitution on the other.

Such is the question. By a long course of insidious usurpation has the Constitution been practically changed. *Shall the change be ratified and confirmed by the popular voice?* thus involving the country in the mischief of the change itself, and the pernicious consequences of a popular sanction of the usurpation and corruption which produced it? This is the question to be decided.

If the powers now actually exercised by the Executive had been embodied in an article headed "*The President shall have power*," and proposed to the Convention of '87 as a part of the Constitution, who believes that it would have obtained a single vote in that body? Or if it had been proposed by the first Congress as an amendment to the Constitution, would it have received a single vote in a single State in this Union? Nobody will venture to say that it would. And yet, now, the very same question is involved in the question of continuing in power an Administration which has used, and is still using, the corruption of its own usurpations to gain for them the *popular sanction*, and thus give them, to all practical purposes, the force and effect of Constitutional law.

It suits the purposes of some, however, to represent the great question now in contest as one of "mere dollars and cents"—banks and currency—safe or unsafe keeping of the public moneys; and in that light to be altogether unworthy of a comparison with the question of Human Rights involved in the cause of abolition. Now, sir, though as a mere question of currency it is a question of immense importance in its vast and complicated bearings upon some of the highest interests of the People, yet, the question of *Power*—of a *practical change of the Constitution by encroachment and popular acquiescence*, I regard as of incomparably more importance. And so does the Administration! For all the rash experiments which have struck, as with a paralysis, the industry and prosperity of the country, have been undertaken, and persevered in, *for the sake of power!* for the sake of doing, in effect, just what I have asserted is really being done—changing, practically, the Government and Constitution of the country, by concentrating all power in the hands of One Man. And such, sir, is now the great purpose of the Administration in its persevering efforts to carry the so-often-rejected sub-Treasury scheme, by an exertion

of Executive influence equal to any which has ever signalized the most corrupt periods of British history.

There are, I know, abolitionists who are deeply convinced of the existing abuses and corruptions; but who, nevertheless, say that it is vain to attempt a reform by efforts to overthrow the Administration; that the only way to accomplish it is to abandon the present Opposition, and rely on an ultimate triumph of abolition to purify all the parties, and restore the Constitution. This, Mr. Speaker, seems to me very much like abandoning all commonly approved remedies for a disease, and giving up the patient to die, in reliance upon a restoration to health by a resurrection from the dead. It betrays an utter insensibility to the *real* effect of sanctioning the usurpations of which I have spoken, by re-electing to the Presidency their Chief Author—an effect which involves not only a practical change of the Constitution—the final mischiefs of which nobody can calculate—but *such a wide diffusion of the* LEAVEN OF CORRUPTION, and such a consolidation of the power which has introduced it, as to place the country well nigh beyond the reach of remedy. Where is the Whig Abolitionist who is willing to give up, and leave this leaven to act, and this power to gain strength, in the hope of ultimately saving the country by Abolition? I have great confidence in the purifying power of abolition principles, but I cannot be so blind as not to see that corruption may, in the unprecedented activity of *its leavening process, reach the very remedy which is relied on to effect its cure!*

I have thus given, summarily, my views of the *question* and the *crisis*. And now, sir, I am not, at the moment of *such* a crisis, when the true friends of popular rights are buckling on their armor for a death-struggle with corruption, to lay down my arms and retreat from the battle-field. I am not, when the knife is drawn to sever the monster which has, for ten years, been winding itself around the country, now to give up, and say—let him wind his last fold, and crush the last bone! No; sir; no! I shall help to fight out this battle, if Heaven spares me.

And now, sir, where is THE MAN around whom we may rally?—the man whose name shall be to us a strong tower—the man who is to lead us to victory. There is, thank Heavon, such a man! His name is wafted to us on the winds that sweep the Alleghanies; and comes back in thundering echoes from the Atlantic shores. The West, the East, the North, the South, unite to proclaim WILLIAM HENRY HARRISON as THE MAN.

And who is WILLIAM HENRY HARRISON? Sir, he is the noble son of a noble sire, whose name stands next to that of Thomas Jefferson on the Declaration of Independence. A man who has shown that he received the instructions of such a father not in vain; a man who drew in, with his first breath, the pure inspiration of Revolutionary Principles, and who has, through a long and eminently useful life, exhibited those principles in the well-proportioned developments of a Patriot and a Man. Yes, sir, a Man! Not a shrewd, cunning, plotting, scheming, selfish, heartless *politician*, but a Man—a man with a *heart*—a heart as big as a world—a heart unpractised in political guile, or in any guile—a heart whose warm pulsations were never checked by the chill of selfishness—a heart open, kind, generous, uncorrupted and incorruptible. Sir, this is no fancy sketch. It is sober truth, written on every page of Harrison's history—the history of a soldier, a scholar, a statesman, a philanthropist and an HONEST MAN.

Do you ask whether he understands the crisis, and is capable of giving to his principles and efforts a direction suited to it? Yes, sir, precisely. His vigorous mind has struck, with remarkable discrimination, upon the true points of *reform* demanded by the crisis for which he has been raised up. Hear him. In a letter of the 2d of December, 1838, to the Hon. Harmar Denny, of Pennsylvania, he says:

"Among the principles proper to be adopted by any Executive sincerely desirous to restore the Administration to its original simplicity and purity, I deem the following to be of prominent importance:

"I. To confine his service to a single term.

"II. To disclaim all right of control over the public treasure, with the exception of such part of it as may be appropriated by law to carry on the public service; and that to be applied precisely as the law may direct, and drawn from the Treasury agreeably to the long established forms of that Department.

"III. That he should never attempt to influence the elections, either by the People or the State Legislatures; nor suffer the Federal officers, under his control, to take any other part in them than by giving their own votes, when they possess the right of voting.

"IV. That, in the exercise of the veto power, he should limit his rejection of bills to, 1st. Such as are, in his opinion, unconstitutional; 2d. Such as tend to encroach on the rights of the States or individuals; 3d. Such as, involving deep interests, may, in his opinion, require more mature deliberation, or reference to the will of the People, to be ascertained at the succeeding elections.

"V. That he should never suffer the influence of his office to be used for purposes of a purely party character.

"VI. That, in removals from office of those who hold their appointments during the pleasure of the Executive, the cause of such removal should be stated, if requested, to the Senate, at the time the nomination of a successor is made.

"And last, but not least in importance,

"VII. That he should not suffer the Executive department of the Government to become the source of legislation; but leave the whole business of making laws for the Union to the department to which the Constitution has exclusively assigned it, until they have assumed that perfected shape where, and where alone, the opinions of the Executive may be heard."

I have no time, Mr. Speaker, to comment on this exposition of the principles which are to be brought into Gen. Harrison's Administration. They need, however, no commentary. They commend themselves, at once, to universal acceptance, and their author to the regard and confi-

dence of the country, and the whole country—a regard and confidence which are daily gaining strength, and which are destined, I trust, to give a strength to the Administration of this great and good man which no Administration since the days of Washington has possessed.

Such is *the man!* And such a man the country wants at this great crisis, to rescue it from the hands of misrule and corruption. General Harrison is emphatically One of the People. He comes forth from the midst of them, wearied with the toils, and covered with the sweat, of his noble occupation. He comes, at *their* call, to administer *their* Government for *their* benefit! He comes with a hold on their affection and confidence rarely enjoyed by any public man—a confidence which the history of his life shows he will never abuse—a confidence which will enable him to do an amount of good that few statesmen, in the short space of four years, have ever been able to accomplish. Mr. Speaker, I will not say that it would be "sufficient glory to serve under such a chief," for that is a language becoming no freeman to use; but I will say that it would be a glorious privilege to witness such a reform as the noble veteran is destined to accomplish; and to breathe the healthful and invigorating atmosphere of his pure, upright, impartial, and just Administration.